TITLE 3—THE PRESIDENT

This title was enacted by act June 25, 1948, ch. 644, § 1, 62 Stat. 672

Chap.		Sec.
1.	**Presidential Elections and Vacancies.**	1
2.	**Office and Compensation of President**	101
3.	**Protection of the President; the White House Police**[1]	201
4.	**Delegation of Functions**	301

Amendments

1951—Act Oct. 31, 1951, ch. 655, § 4, 65 Stat. 711, added the heading of chapter 4.

Positive Law; Citation

This title has been made positive law by section 1 of act June 25, 1948, ch. 644, 62 Stat. 672, which provided in part that: "Title 3 of the United States Code, entitled 'The President', is codified and enacted into positive law and may be cited as '3 U. S. C., § —.'"

Savings Clause

Section 2 of act June 25, 1948, provided that: "The provisions of title 3, 'The President', set out in section 1 of this Act, shall be construed as a continuation of existing law and no loss of rights, interruption of jurisdiction, nor prejudice to matters pending on the effective date of this Act shall result from its enactment."

Repeals

Section 3 of act June 25, 1948, provided that the sections or parts thereof of the Statutes at Large or the Revised Statutes covering provisions codified in this Act are repealed insofar as such provisions appeared in this title of the U. S. C. 1940 edition.

Prior Repeals

Former sections 21 and 22 relating to performance of presidential duties in absence of both the President and Vice President were repealed by act July 18, 1947, ch. 264, § 1 (g), 61 Stat. 381.

Table

Showing where former sections of Title 3 and the laws from which such former sections were derived, have been incorporated in revised Title 3

Title 3 former sections	*Revised Statutes Statutes at Large*	*Title 3 new sections*
1	R.S. § 131	1
2	R.S. § 132	3
3	R.S. § 133	4
4	R.S. § 134	2
5	Feb. 3, 1887, ch. 90, § 1, 24 Stat. 373	7
5a	May 29, 1928, ch. 859, § 1, 45 Stat. 945.	7
	June 5, 1934, ch. 390, § 6 (a), 48 Stat. 879.	
6	Feb. 3, 1887, ch. 90, § 2, 24 Stat. 373	5
7	Feb. 3, 1887, ch. 90, § 3, 24 Stat. 373	6
7a	May 29, 1928, ch. 859, § 2, 45 Stat. 946.	6
8	R.S. § 137	8
9	R.S. § 138	9
9a	May 29, 1928, ch. 859, § 3, 45 Stat. 946.	9
10	R.S. § 139	10
11	R.S. § 140	11
	Oct. 19, 1888, ch. 1216, § 1, 25 Stat. 613.	
11a	May 29, 1928, ch. 859, § 4, 45 Stat. 946.	11
11b	May 29, 1928, ch. 859, § 5, 45 Stat. 946.	12
	June 5, 1934, ch. 390, § 6(b), 48 Stat. 879.	
11c	May 29, 1928, ch. 859, § 6, 45 Stat. 946.	13
	June 5, 1934, ch. 390, § 6(c), 48 Stat. 879.	
12	Oct. 19, 1888, ch. 1216, § 1, 25 Stat. 613	11, 12
13	R.S. § 141	13
	Oct. 19, 1888, ch. 1216, § 2, 25 Stat. 613.	
14	R.S. § 143	11
15	R.S. § 144	11
16	R.S. § 145	14
17	Feb. 3, 1887, ch. 90, § 4, 24 Stat. 373	15
	June 5, 1934, ch. 390, § 7, 48 Stat. 879.	
18	Feb. 3, 1887, ch. 90, § 5, 24 Stat. 374	18
19	Feb. 3, 1887, ch. 90, § 6, 24 Stat. 375	17
20	Feb. 3, 1887, ch. 90, § 7, 24 Stat. 375	16
21	Jan. 19, 1886, ch. 4, § 1, 24 Stat. 1	19
22	Jan. 19, 1886, ch. 4, § 2, 24 Stat. 1	19
23	R.S. § 151	10
24	July 18, 1947, ch. 264, § 1(a-f), 61 Stat. 380, 381	19
	July 26, 1947, ch. 343, § 311, 61 Stat. 509.	
41	R.S. § 152	101
	June 5, 1934, ch. 390, § 1, 48 Stat. 879.	
42	R.S. § 153	102
	Mar. 4, 1909, ch. 297, § 1, 35 Stat. 859.	
43	June 23, 1906, ch. 3523, 34 Stat. 454	103
	Aug. 2, 1946, ch. 744, § 17(c), 60 Stat. 811.	
44	R.S. § 154	104
	Feb. 26, 1907, ch. 1635, § 4, 34 Stat. 993.	
	Mar. 4, 1925, ch. 549, § 4, 43 Stat. 1301.	
	Aug. 2, 1946, ch. 753, § 601(a), 60 Stat. 850.	
45	Apr. 22, 1926, ch. 171, § 1, 44 Stat. 305.	105
45a	Apr. 3, 1939, ch. 36, § 301, 53 Stat. 565.	106
46	June 12, 1922, ch. 218, 42 Stat. 636	107
	Feb. 13, 1923, ch. 72, 42 Stat. 1227.	
	June 7, 1924, ch. 292, § 1, 43 Stat. 521.	
	Mar. 3, 1925, ch. 468, § 1, 43 Stat. 1198, 1199.	
	Apr. 22, 1926, ch. 171, § 1, 44 Stat. 305.	
	Feb. 11, 1927, ch. 104, § 1, 44 Stat. 1069.	
	May 16, 1928, ch. 580, § 1, 45 Stat. 573.	
	Feb. 20, 1929, ch. 270, § 1, 45 Stat. 1230.	
	Apr. 19, 1930, ch. 201, § 1, 46 Stat. 229.	
	Feb. 23, 1931, ch. 281, § 1, 46 Stat. 1355.	
	June 30, 1932, ch. 330, § 1, 47 Stat. 452.	
	June 16, 1933, ch. 101, § 1, 48 Stat. 284.	
	Mar. 28, 1934, ch. 102, § 1, 48 Stat. 509.	
	Feb. 2, 1935, ch. 3, § 1, 49 Stat. 6.	

[1] Chapter heading amended to read "Protection of the President; the Executive Protective Service" by Pub. L. 91-217 without correction of chapter analysis.

71-999 O - 77 - vol. 1 - 21

Title 3 former sections	Revised Statutes Statutes at Large	Title 3 new sections
	Mar. 19, 1936, ch. 156, § 1, 49 Stat. 1148.	
	June 28, 1937, ch. 396, § 1, 50 Stat. 350.	
	May 23, 1938, ch. 259, § 1, 52 Stat. 411.	
	Mar. 16, 1939, ch. 11, § 1, 53 Stat. 524.	
	Apr. 8, 1940, ch. 107, § 1, 54 Stat. 112.	
	Apr. 5, 1941, ch. 40, § 1, 55 Stat. 93.	
	June 27, 1942, ch. 450, § 1, 56 Stat. 392.	
	June 26, 1943, ch. 145, § 101, 57 Stat. 169.	
	June 27, 1944, ch. 286, § 101, 58 Stat. 361.	
	May 3, 1945, ch. 106, § 101, 59 Stat. 106.	
	Mar. 28, 1946, ch. 113, § 101, 60 Stat. 61.	
47	Mar. 4, 1911, ch. 285, § 1, 36 Stat. 1404.	108
48	June 25, 1910, ch. 384, § 9, 36 Stat. 773	109
49	R.S. § 1829	110
	Feb. 26, 1925, ch. 377, §§ 1, 2, 43 Stat. 1091.	
50	R.S. § 1832	109
51	R.S. § 1833	109
52	R.S. § 1834	109
53	June 23, 1913, ch. 3, § 1, 38 Stat. 23	201
54	June 9, 1941, ch. 189, 55 Stat. 247.	
61	Sept. 14, 1922, ch. 308, § 1, 42 Stat. 841	202
	May 14, 1930, ch. 277, § 1, 46 Stat. 328.	
62	Sept. 14, 1922, ch. 308, § 2, 42 Stat. 841	203
	May 14, 1930, ch. 277, § 2, 46 Stat. 328.	
	May 28, 1935, ch. 154, 49 Stat. 304.	
	Apr. 22, 1940, ch. 133, 54 Stat. 156.	
	June 9, 1947, ch. 102, 61 Stat. 132.	
62a	Oct. 9, 1942, ch. 582, § 1, 56 Stat. 778	205
62b	Oct. 9, 1942, ch. 582, § 2, 56 Stat. 778	206
63	Sept. 14, 1922, ch. 308, § 3, 42 Stat. 842	204
	May 14, 1930, ch. 277, § 3, 46 Stat. 328.	
64	Sept. 14, 1922, ch. 308, § 4, 42 Stat. 842	207
65	Sept. 14, 1922, ch. 308, § 5, 42 Stat. 842.	
66	Sept. 14, 1922, ch. 308, § 6, 42 Stat. 842.	
67	Sept. 14, 1922, ch. 308, § 7, 42 Stat. 843	208
	May 14, 1930, ch. 277, § 4, 46 Stat. 329.	

CHAPTER 1—PRESIDENTIAL ELECTIONS AND VACANCIES

Sec.

1. Time of appointing electors.
2. Failure to make choice on prescribed day.
3. Number of electors.
4. Vacancies in electoral college.
5. Determination of controversy as to appointment of electors.
6. Credentials of electors; transmission to Administrator of General Services and to Congress; public inspection.
7. Meeting and vote of electors.
8. Manner of voting.
9. Certificates of votes for President and Vice President.
10. Sealing and endorsing certificates.
11. Disposition of certificates.
12. Failure of certificates of electors to reach President of Senate or Administrator of General Services; demand on State for certificate.
13. Same; demand on district judge for certificate.
14. Forfeiture for messenger's neglect of duty.
15. Counting electoral votes in Congress.
16. Same; seats for officers and Members of two Houses in joint meeting.
17. Same; limit of debate in each House.
18. Same; parliamentary procedure at joint meeting.
19. Vacancy in offices of both President and Vice President; officers eligible to act.
20. Resignation or refusal of office.
21. Definitions.

AMENDMENTS

1961—Pub. L. 87-389, § 2(b), Oct. 4, 1961, 75 Stat. 820, added item 21.

1951—Act Oct. 31, 1951, ch. 655, § 5, 65 Stat. 711, substituted "Administrator of General Services" for "Secretary of State" in items 6 and 12.

FEDERAL ELECTION CAMPAIGNS

Disclosure of Federal campaign funds and general provisions, see section 431 et seq. of Title 2, The Congress.

§ 1. Time of appointing electors

The electors of President and Vice President shall be appointed, in each State, on the Tuesday next after the first Monday in November, in every fourth year succeeding every election of a President and Vice President.

(June 25, 1948, ch. 644, 62 Stat. 672.)

CROSS REFERENCES

Time of choosing electors, see Const. Art. 2, § 1, cl. 3.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 18 sections 871, 1751.

§ 2. Failure to make choice on prescribed day

Whenever any State has held an election for the purpose of choosing electors, and has failed to make a choice on the day prescribed by law, the electors may be appointed on a subsequent day in such a manner as the legislature of such State may direct.

(June 25, 1948, ch. 644, 62 Stat. 672.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 18 sections 871, 1751.

§ 3. Number of electors

The number of electors shall be equal to the number of Senators and Representatives to which the several States are by law entitled at the time when the President and Vice President to be chosen come into office; except, that where no apportionment of Representatives has been made after any enumeration, at the time of choosing electors, the number of electors shall be according to the then existing apportionment of Senators and Representatives.

(June 25, 1948, ch. 644, 62 Stat. 672.)

§ 4. Vacancies in electoral college

Each State may, by law, provide for the filling of any vacancies which may occur in its college of electors when such college meets to give its electoral vote.

(June 25, 1948, ch. 644, 62 Stat. 673.)

§ 5. Determination of controversy as to appointment of electors

If any State shall have provided, by laws enacted prior to the day fixed for the appointment of the electors, for its final determination of any controversy or contest concerning the appointment of all or any of the electors of such State, by judicial or other methods or procedures, and such determination shall have been made at least six days before the time

fixed for the meeting of the electors, such determination made pursuant to such law so existing on said day, and made at least six days prior to said time of meeting of the electors, shall be conclusive, and shall govern in the counting of the electoral votes as provided in the Constitution, and as hereinafter regulated, so far as the ascertainment of the electors appointed by such State is concerned.

(June 25, 1948, ch. 644, 62 Stat. 673.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 15 of this title.

§ 6. Credentials of electors; transmission to Administrator of General Services and to Congress; public inspection

It shall be the duty of the executive of each State, as soon as practicable after the conclusion of the appointment of the electors in such State by the final ascertainment, under and in pursuance of the laws of such State providing for such ascertainment, to communicate by registered mail under the seal of the State to the Administrator of General Services a certificate of such ascertainment of the electors appointed, setting forth the names of such electors and the canvass or other ascertainment under the laws of such State of the number of votes given or cast for each person for whose appointment any and all votes have been given or cast; and it shall also thereupon be the duty of the executive of each State to deliver to the electors of such State, on or before the day on which they are required by section 7 of this title to meet, six duplicate-originals of the same certificate under the seal of the State; and if there shall have been any final determination in a State in the manner provided for by law of a controversy or contest concerning the appointment of all or any of the electors of such State, it shall be the duty of the executive of such State, as soon as practicable after such determination, to communicate under the seal of the State to the Administrator of General Services a certificate of such determination in form and manner as the same shall have been made; and the certificate or certificates so received by the Administrator of General Services shall be preserved by him for one year and shall be a part of the public records of his office and shall be open to public inspection; and the Administrator of General Services at the first meeting of Congress thereafter shall transmit to the two Houses of Congress copies in full of each and every such certificate so received at the General Services Administration.

(June 25, 1948, ch. 644, 62 Stat. 673; Oct. 31, 1951, ch. 655, § 6, 65 Stat. 711.)

AMENDMENTS

1951—Act Oct. 31, 1951, substituted "Administrator of General Services" for "Secretary of State" in catchline and several places in the text, and for "Secretary of State of the United States" in one place in text, and "General Services Administration" for "State Department".

TRANSFER OF FUNCTIONS

Functions of the Secretary of State and Department of State were transferred to the Administrator of General Services by section 1 of 1950 Reorg. Plan No. 20, eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1272, set out in the Appendix to Title 5, Government Organization and Employees. Section 3 of that Plan vested power in the Administrator of General Services to delegate any of the transferred functions to any other officer, or to any agency or employee, of the General Services Administration. For transfer of records, property, personnel, and funds, see section 4 of such Plan.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 15 of this title.

§ 7. Meeting and vote of electors

The electors of President and Vice President of each State shall meet and give their votes on the first Monday after the second Wednesday in December next following their appointment at such place in each State as the legislature of such State shall direct.

(June 25, 1948, ch. 644, 62 Stat. 673.)

CROSS REFERENCES

Day of voting by electors, see Const. Art. II, § 1, cl. 3.
Voting by electors, see Const. Amend. XII.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 6 of this title.

§ 8. Manner of voting

The electors shall vote for President and Vice President, respectively, in the manner directed by the Constitution.

(June 25, 1948, ch. 644, 62 Stat. 674.)

§ 9. Certificates of votes for President and Vice President

The electors shall make and sign six certificates of all the votes given by them, each of which certificates shall contain two distinct lists, one of the votes for President and the other of the votes for Vice President, and shall annex to each of the certificates one of the lists of the electors which shall have been furnished to them by direction of the executive of the State.

(June 25, 1948, ch. 644, 62 Stat. 674.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 12 of this title.

§ 10. Sealing and endorsing certificates

The electors shall seal up the certificates so made by them, and certify upon each that the lists of all the votes of such State given for President, and of all the votes given for Vice President, are contained therein.

(June 25, 1948, ch. 644, 62 Stat. 674.)

§ 11. Disposition of certificates

The electors shall dispose of the certificates so made by them and the lists attached thereto in the following manner:

First. They shall forthwith forward by registered mail one of the same to the President of the Senate at the seat of government.

Second. Two of the same shall be delivered to the secretary of state of the State, one of which shall be held subject to the order of the President of the Senate, the other to be preserved by him for one year and shall be a part of the

public records of his office and shall be open to public inspection.

Third. On the day thereafter they shall forward by registered mail two of such certificates and lists to the Administrator of General Services at the seat of government, one of which shall be held subject to the order of the President of the Senate. The other shall be preserved by the Administrator of General Services for one year and shall be a part of the public records of his office and shall be open to public inspection.

Fourth. They shall forthwith cause the other of the certificates and lists to be delivered to the judge of the district in which the electors shall have assembled.

(June 25, 1948, ch. 644, 62 Stat. 674; Oct. 31, 1951, ch. 655, § 7, 65 Stat. 712.)

AMENDMENTS

1951—Act Oct. 31, 1951, substituted in two places in paragraph "Third", "Administrator of General Services" for "Secretary of State".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 12 of this title.

§ 12. Failure of certificates of electors to reach President of Senate or Administrator of General Services; demand on State for certificate

When no certificate of vote and list mentioned in sections 9 and 11 of this title from any State shall have been received by the President of the Senate or by the Administrator of General Services by the fourth Wednesday in December, after the meeting of the electors shall have been held, the President of the Senate or, if he be absent from the seat of government, the Administrator of General Services shall request, by the most expeditious method available, the secretary of state of the State to send up the certificate and list lodged with him by the electors of such State; and it shall be his duty upon receipt of such request immediately to transmit same by registered mail to the President of the Senate at the seat of government.

(June 25, 1948, ch. 644, 62 Stat. 674; Oct. 31, 1951, ch. 655, § 8, 65 Stat. 712.)

AMENDMENTS

1951—Act Oct. 31, 1951, substituted in catchline and two places in the text, "Administrator of General Services" for "Secretary of State".

§ 13. Same; demand on district judge for certificate

When no certificates of votes from any State shall have been received at the seat of government on the fourth Wednesday in December, after the meeting of the electors shall have been held, the President of the Senate or, if he be absent from the seat of government, the Administrator of General Services shall send a special messenger to the district judge in whose custody one certificate of votes from that State has been lodged, and such judge shall forthwith transmit that list by the hand of such messenger to the seat of government.

(June 25, 1948, ch. 644, 62 Stat. 674; Oct. 31, 1951, ch. 655, § 9, 65 Stat. 712.)

AMENDMENTS

1951—Act Oct. 31, 1951, substituted "Administrator of General Services" for "Secretary of State".

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 14 of this title.

§ 14. Forfeiture for messenger's neglect of duty

Every person who, having been appointed, pursuant to section 13 of this title, to deliver the certificates of the votes of the electors to the President of the Senate, and having accepted such appointment, shall neglect to perform the services required from him, shall forfeit the sum of $1,000.

(June 25, 1948, ch. 644, 62 Stat. 675.)

§ 15. Counting electoral votes in Congress

Congress shall be in session on the sixth day of January succeeding every meeting of the electors. The Senate and House of Representatives shall meet in the Hall of the House of Representatives at the hour of 1 o'clock in the afternoon on that day, and the President of the Senate shall be their presiding officer. Two tellers shall be previously appointed on the part of the Senate and two on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted according to the rules in this subchapter provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses. Upon such reading of any such certificate or paper, the President of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one Member of the House of Representatives before the same shall be received. When all objections so made to any vote or paper from a State shall have been received and read, the Senate shall thereupon withdraw, and such objections shall be submitted to the Senate for its decision; and the Speaker of the House of Representatives shall, in like manner, submit such objections to the House of Representatives for its decision; and no electoral vote or votes from any State which shall have been regularly given by electors whose appointment has been lawfully certified to according to section 6 of this title from which but one return has been received shall be rejected, but the two Houses concurrently may reject the vote or votes when they agree that such vote or votes have not been so regularly given by electors

whose appointment has been so certified. If more than one return or paper purporting to be a return from a State shall have been received by the President of the Senate, those votes, and those only, shall be counted which shall have been regularly given by the electors who are shown by the determination mentioned in section 5 of this title to have been appointed, if the determination in said section provided for shall have been made, or by such successors or substitutes, in case of a vacancy in the board of electors so ascertained, as have been appointed to fill such vacancy in the mode provided by the laws of the State; but in case there shall arise the question which of two or more of such State authorities determining what electors have been appointed, as mentioned in section 5 of this title, is the lawful tribunal of such State, the votes regularly given of those electors, and those only, of such State shall be counted whose title as electors the two Houses, acting separately, shall concurrently decide is supported by the decision of such State so authorized by its law; and in such case of more than one return or paper purporting to be a return from a State, if there shall have been no such determination of the question in the State aforesaid, then those votes, and those only, shall be counted which the two Houses shall concurrently decide were cast by lawful electors appointed in accordance with the laws of the State, unless the two Houses, acting separately, shall concurrently decide such votes not to be the lawful votes of the legally appointed electors of such State. But if the two Houses shall disagree in respect of the counting of such votes, then, and in that case, the votes of the electors whose appointment shall have been certified by the executive of the State, under the seal thereof, shall be counted. When the two Houses have voted, they shall immediately again meet, and the presiding officer shall then announce the decision of the questions submitted. No votes or papers from any other State shall be acted upon until the objections previously made to the votes or papers from any State shall have been finally disposed of.

(June 25, 1948, ch. 644, 62 Stat. 675.)

§ 16. Same; seats for officers and Members of two Houses in joint meeting

At such joint meeting of the two Houses seats shall be provided as follows: For the President of the Senate, the Speaker's chair; for the Speaker, immediately upon his left; the Senators, in the body of the Hall upon the right of the presiding officer; for the Representatives, in the body of the Hall not provided for the Senators; for the tellers, Secretary of the Senate, and Clerk of the House of Representatives, at the Clerk's desk; for the other officers of the two Houses, in front of the Clerk's desk and upon each side of the Speaker's platform. Such joint meeting shall not be dissolved until the count of electoral votes shall be completed and the result declared; and no recess shall be taken unless a question shall have arisen in regard to counting any such votes, or otherwise under this subchapter, in which case it shall be competent for either House, acting separately, in the manner hereinbefore provided, to direct a recess of such House not beyond the next calendar day, Sunday excepted, at the hour of 10 o'clock in the forenoon. But if the counting of the electoral votes and the declaration of the result shall not have been completed before the fifth calendar day next after such first meeting of the two Houses, no further or other recess shall be taken by either House.

(June 25, 1948, ch. 644, 62 Stat. 676.)

§ 17. Same; limit of debate in each House

When the two Houses separate to decide upon an objection that may have been made to the counting of any electoral vote or votes from any State, or other question arising in the matter, each Senator and Representative may speak to such objection or question five minutes, and not more than once; but after such debate shall have lasted two hours it shall be the duty of the presiding officer of each House to put the main question without further debate.

(June 25, 1948, ch. 644, 62 Stat. 676.)

§ 18. Same; parliamentary procedure at joint meeting

While the two Houses shall be in meeting as provided in this chapter, the President of the Senate shall have power to preserve order; and no debate shall be allowed and no question shall be put by the presiding officer except to either House on a motion to withdraw.

(June 25, 1948, ch. 644, 62 Stat. 676; Sept. 3, 1954, ch. 1263, § 3, 68 Stat. 1227.)

AMENDMENTS

1954—Act Sept. 3, 1954, substituted "chapter" for "subchapter".

§ 19. Vacancy in offices of both President and Vice President; officers eligible to act

(a)(1) If, by reason of death, resignation, removal from office, inability, or failure to qualify, there is neither a President nor Vice President to discharge the powers and duties of the office of President, then the Speaker of the House of Representatives shall, upon his resignation as Speaker and as Representative in Congress, act as President.

(2) The same rule shall apply in the case of the death, resignation, removal from office, or inability of an individual acting as President under this subsection.

(b) If, at the time when under subsection (a) of this section a Speaker is to begin the discharge of the powers and duties of the office of President, there is no Speaker, or the Speaker fails to qualify as Acting President, then the President pro tempore of the Senate shall, upon his resignation as President pro tempore and as Senator, act as President.

(c) An individual acting as President under subsection (a) or subsection (b) of this section shall continue to act until the expiration of the then current Presidential term, except that—

(1) if his discharge of the powers and duties of the office is founded in whole or in part on the failure of both the President-elect and the Vice-President-elect to qualify, then he shall act only until a President or Vice President qualifies; and

(2) if his discharge of the powers and duties of the office is founded in whole or in part on the inability of the President or Vice President, then he shall act only until the removal of the disability of one of such individuals.

(d)(1) If, by reason of death, resignation, removal from office, inability, or failure to qualify, there is no President pro tempore to act as President under subsection (b) of this section, then the officer of the United States who is highest on the following list, and who is not under disability to discharge the powers and duties of the office of President shall act as President: Secretary of State, Secretary of the Treasury, Secretary of Defense, Attorney General, Secretary of the Interior, Secretary of Agriculture, Secretary of Commerce, Secretary of Labor, Secretary of Health, Education, and Welfare, Secretary of Housing and Urban Development, Secretary of Transportation.

(2) An individual acting as President under this subsection shall continue so to do until the expiration of the then current Presidential term, but not after a qualified and prior-entitled individual is able to act, except that the removal of the disability of an individual higher on the list contained in paragraph (1) of this subsection or the ability to qualify on the part of an individual higher on such list shall not terminate his service.

(3) The taking of the oath of office by an individual specified in the list in paragraph (1) of this subsection shall be held to constitute his resignation from the office by virtue of the holding of which he qualifies to act as President.

(e) Subsections (a), (b), and (d) of this section shall apply only to such officers as are eligible to the office of President under the Constitution. Subsection (d) of this section shall apply only to officers appointed, by and with the advice and consent of the Senate, prior to the time of the death, resignation, removal from office, inability, or failure to qualify, of the President pro tempore, and only to officers not under impeachment by the House of Representatives at the time the powers and duties of the office of President devolve upon them.

(f) During the period that any individual acts as President under this section, his compensation shall be at the rate then provided by law in the case of the President.

(June 25, 1948, ch. 644, 62 Stat. 677; Sept. 9, 1965, Pub. L. 89-174, § 6(a), 79 Stat. 669; Oct. 15, 1966, Pub. L. 89-670, § 10(a), 80 Stat. 948; Aug. 12, 1970, Pub. L. 91-375, § 6(b), 84 Stat. 775.)

AMENDMENTS

1970—Subsec. (d)(1). Pub. L. 91-375 struck out "Postmaster General," following "Attorney General,".

1966—Subsec. (d)(1). Pub. L. 89-670 added the Secretary of Transportation following the Secretary of Housing and Urban Development in the enumeration of officers designated to act as President.

1965—Subsec. (d)(1). Pub. L. 89-174 added the Secretary of Health, Education, and Welfare and the Secretary of Housing and Urban Development following the Secretary of Labor in the enumeration of officers designated to act as President.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-375 effective within 1 year after Aug. 12, 1970, on date established therefor by the Board of Governors of the United States Postal Service and published by it in the Federal Register, see section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of Title 39, Postal Service.

EFFECTIVE DATE OF 1966 AMENDMENT

Amendment by Pub. L. 89-670 effective Apr. 1, 1967, as prescribed by the President and published in the Federal Register, see section 15(a) of Pub. L. 89-670, and Ex. Ord. No. 11340, Mar. 30, 1967, 32 F.R. 5453, set out as notes under section 1651 of Title 49, Transportation.

EFFECTIVE DATE OF 1965 AMENDMENT

Amendment of subsec. (d)(1) of this section by Pub. L. 89-174 effective upon expiration of first period of sixty calendar days following Sept. 9, 1965 or on earlier date specified by Executive order, see section 11(a) of Pub. L. 89-174 set out as a note under section 3531 of Title 42, The Public Health and Welfare.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 18 section 871.

§ 20. Resignation or refusal of office

The only evidence of a refusal to accept, or of a resignation of the office of President or Vice President, shall be an instrument in writing, declaring the same, and subscribed by the person refusing to accept or resigning, as the case may be, and delivered into the office of the Secretary of State.

(June 25, 1948, ch. 644, 62 Stat. 678.)

PRESIDENTIAL RECORDINGS AND MATERIALS PRESERVATION ACT

For protection and preservation of tape recordings of conversations involving former President Richard M. Nixon, see sections 101 to 106 of Pub. L. 93-526, set out as a note under section 2107 of Title 44, Public Printing and Documents.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 18 section 871.

§ 21. Definitions

As used in this chapter the term—

(a) "State" includes the District of Columbia.

(b) "executives of each State" includes the Board of Commissioners of the District of Columbia.

(Added Pub. L. 87-389, § 2(a), Oct. 4, 1961, 75 Stat. 820.)

TRANSFER OF FUNCTIONS

Section 401 of Reorganization Plan No. 3 of 1967, 32 F.R. 11669, 81 Stat. 948, transferred the functions of the Board of Commissioners, including functions of the President of the Board and all functions of each other member of the Board, including the executive power vested therein, to the Commissioner of the District of Columbia, except as provided by other sections of the Reorganization Plan. For provisions establishing the office of Commissioner of the District of Columbia and abolishing the Board of Commissioners, see sections 301 and 503 of the Plan, set out in the Appendix to Title 5, Government Organization and Employees. See, also, Effective Date note under such plan.

CHAPTER 2—OFFICE AND COMPENSATION OF PRESIDENT

Sec.
101. Commencement of term of office.
102. Compensation of the President.
103. Traveling expenses.
104. Salary of the Vice President.
105. Compensation of secretaries and executive, administrative, and staff assistants to President.
106. Administrative assistants.
107. Detail of employees of executive departments to office of President.
108.[1] Accommodations for vehicles.
109. Public property in and belonging to Executive Mansion.
110. Furniture for White House.
111. Expense allowance of Vice President.

§ 101. Commencement of term of office

The term of four years for which a President and Vice President shall be elected, shall, in all cases, commence on the 20th day of January next succeeding the day on which the votes of the electors have been given.

(June 25, 1948, ch. 644, 62 Stat. 678.)

Executive Office of the President

The statement on Organization and Functions of the Executive Office of the President, 14 F.R. 7856, as amended 17 F.R. 6204; 18 F.R. 5668, provides:

Sec. I. Divisions of the Executive Office of the President

The Executive Office of the President consists of the divisions listed below.

Sec. II. White House Office

The White House Office comprises the officers and employees of the staff of the President required in the performance of the detailed activities incident to his immediate office.

Sec. III. Bureau of the Budget [Office of Management and Budget] (a) General

The Bureau of the Budget [Office of Management and Budget] serves the President in the preparation and administration of the budget, in the review of legislation and Executive orders, in the improvement of administrative management and organization, and in the coordination and improvement of Federal statistics.

(b) Approval of Collection of Information

Under the Federal Reports Act of 1942 [see section 3501 et seq. of Title 44], no Federal agency, with specified exemptions, may collect identical information from ten or more respondents without the Bureau's [Office's] approval, which is indicated on the report form or questionnaire. This authority is exercised by the Assistant Director for Statistical Standards with assistance from an Advisory Council on Federal Reports representing national business organizations.

Sec. IV. Council of Economic Advisors

The Council of Economic Advisors assists the President in the preparation of his economic reports to Congress; studies developments and trends in income, production, and employment; appraises activities of the Federal Government bearing upon the growth and stability of the Nation's economy; and develops and recommends to the President national economic policies to foster a strong economy.

[1] Section repealed without repealing item 108 in analysis.

Sec. V. National Security Council

The National Security Council advises the President with respect to the integration of domestic, foreign, and military policies relating to the national security. The Central Intelligence Agency is under the Council's direction.

Sec. VI. Office of Defense Mobilization [Abolished]

The Office of Defense Mobilization directs, controls, and coordinates on behalf of the President all defense mobilization activities of the executive branch of the Government.

Sec. VII. Office for Emergency Management [Inactive]

The Office for Emergency Management, when activated assists the President in dealing with public emergencies.

President's Advisory Commission on Presidential Office Space

Act Aug. 3, 1956, ch. 925, 70 Stat. 979, as amended by Pub. L. 85-3, Jan. 25, 1957, 71 Stat. 4, created a President's Advisory Commission on Presidential Office Space to study the problem of providing more adequate office space for the White House Office and the other agencies of the Executive Office of the President. Pursuant to section 1(b) of act Aug. 3, 1956, the Commission was required to report to the President its findings and recommendations within 10 months after Aug. 3, 1956, and section 2(g) of act Aug. 3, 1956 provided that the Commission should cease to exist 30 days after the submission of its final report.

§ 102. Compensation of the President

The President shall receive in full for his services during the term for which he shall have been elected compensation in the aggregate amount of $200,000 a year, to be paid monthly, and in addition an expense allowance of $50,000 to assist in defraying expenses relating to or resulting from the discharge of his official duties, for which expense allowance no accounting, other than for income tax purposes, shall be made by him. He shall be entitled also to the use of the furniture and other effects belonging to the United States and kept in the Executive Mansion.

(June 25, 1948, ch. 644, 62 Stat. 678; Jan. 19, 1949, ch. 2, § 1(a), 63 Stat. 4; Oct. 20, 1951, ch. 521, title VI, § 619(a), 65 Stat. 569; Jan. 17, 1969, Pub. L. 91-1, § 1, 83 Stat. 3.)

Amendments

1969—Pub. L. 91-1 increased the aggregate amount of the compensation of the President from $100,000 to $200,000 a year.

1951—Act Oct. 20, 1951, made the President's expense allowance taxable.

1949—Act Jan. 19, 1949, increased the President's salary from $75,000 per year to $100,000 per year, and gave him a yearly expense account of $50,000 for which he was to make no accounting and which was tax free.

Effective Date of 1969 Amendment

Section 2 of Pub. L. 91-1 provided that: "The amendment made by this Act [amending this section] shall take effect at noon on January 20, 1969."

Effective Date of 1951 Amendment

Section 619 (e) of act Oct. 20, 1951, provided in part that this amendment should become effective at noon on Jan. 20, 1953.

PRESIDENTIAL TRANSITION ACT OF 1963

Pub. L. 88-277, Mar. 7, 1964, 78 Stat. 153, as amended by Pub. L. 94-499, §§ 1, 2, Oct. 14, 1976, 90 Stat. 2380, provided:

"[SECTION 1. SHORT TITLE]. That this Act may be cited as the 'Presidential Transition Act of 1963.'

"SEC. 2 [PURPOSE OF THIS ACT]. The Congress declares it to be the purpose of this Act to promote the orderly transfer of the executive power in connection with the expiration of the term of office of a President and the inauguration of a new President. The national interest requires that such transitions in the office of President be accomplished so as to assure continuity in the faithful execution of the laws and in the conduct of the affairs of the Federal Government, both domestic and foreign. Any disruption occasioned by the transfer of the executive power could produce results detrimental to the safety and well-being of the United States and its people. Accordingly, it is the intent of the Congress that appropriate actions be authorized and taken to avoid or minimize any disruption. In addition to the specific provisions contained in this Act directed toward that purpose, it is the intent of the Congress that all officers of the Government so conduct the affairs of the Government for which they exercise responsibility and authority as (1) to be mindful of problems occasioned by transitions in the office of President, (2) to take appropriate lawful steps to avoid or minimize disruptions that might be occasioned by the transfer of the executive power, and (3) otherwise to promote orderly transitions in the office of President.

"SEC. 3 [SERVICES AND FACILITIES AUTHORIZED TO BE PROVIDED TO PRESIDENTS-ELECT AND VICE-PRESIDENTS-ELECT]. (a) The Administrator of General Services, referred to hereafter in this Act as 'the Administrator,' is authorized to provide, upon request, to each President-elect and each Vice-President-elect, for use in connection with his preparations for the assumption of official duties as President or Vice President necessary services and facilities, including—

"(1) Suitable office space appropriately equipped with furniture, furnishings, office machines and equipment, and office supplies, as determined by the Administrator, after consultation with the President-elect, the Vice-President-elect, or their designee provided for in subsection (e) of this section, at such place or places within the United States as the President-elect or Vice-President-elect shall designate;

"(2) Payment of the compensation of members of office staffs designated by the President-elect or Vice-President-elect at rates determined by them not to exceed the rate provided by the Classification Act of 1949, as amended [chapter 51 and subchapter III of chapter 53 of title 5], for grade GS-18: *Provided,* That any employee of any agency of any branch of the Government may be detailed to such staffs on a reimbursable basis with the consent of the head of the agency; and while so detailed such employee shall be responsible only to the President-elect or Vice-President-elect for the performance of his duties: *Provided further,* That any employee so detailed shall continue to receive the compensation provided pursuant to law for his regular employment, and shall retain the rights and privileges of such employment without interruption. Notwithstanding any other law, persons receiving compensation as members of office staffs under this subsection, other than those detailed from agencies, shall not be held or considered to be employees of the Federal Government except for purposes of the Civil Service Retirement Act [section 8301 et seq. of title 5], the Federal Employees' Compensation Act [section 8501 et seq. of title 5], the Federal Employees' Group Life Insurance Act of 1954 [section 8701 et seq. of title 5], and the Federal Employees Health Benefits Act of 1959 [section 8901 et seq. of title 5];

"(3) Payment of expenses for the procurement of services of experts or consultants or organizations thereof for the President-elect or Vice-President-elect, as authorized for the head of any department by section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 55a) [section 3109 of title 5];

"(4) Payment of travel expenses and subsistence allowances, including rental of Government or hired motor vehicles, found necessary by the President-elect or Vice-President-elect, as authorized for persons employed intermittently or for persons serving without compensation by section 5 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 73b-2) [section 5703 of title 5], as may be appropriate;

"(5) Communications services found necessary by the President-elect or Vice-President-elect;

"(6) Payment of expenses for necessary printing and binding, notwithstanding the Act of January 12, 1895, and the Act of March 1, 1919, as amended (44 U.S.C. 111) [section 501 of title 44];

"(7) Reimbursement to the postal revenues in amounts equivalent to the postage that would otherwise be payable on mail matter referred to in subsection (d) of this section.

"(b) The Administrator shall expend no funds for the provision of services and facilities under this Act in connection with any obligations incurred by the President-elect or Vice-President-elect before the day following the date of the general elections held to determine the electors of President and Vice President in accordance with title 3, United States Code, sections 1 and 2, or after the inauguration of the President-elect as President and the inauguration of the Vice-President-elect as Vice President.

"(c) The terms 'President-elect' and 'Vice-President-elect' as used in this Act shall mean such persons as are the apparent successful candidates for the office of President and Vice President, respectively, as ascertained by the Administrator following the general elections held to determine the electors of President and Vice President in accordance with title 3, United States Code, sections 1 and 2.

"(d) Each President-elect shall be entitled to conveyance within the United States and its territories and possessions of all mail matter, including airmail, sent by him in connection with his preparations for the assumption of official duties as President, and such mail matter shall be transmitted as penalty mail as provided in title 39, United States Code, section 4152 [now section 3202 of title 39]. Each Vice-President-elect shall be entitled to conveyance within the United States and its territories and possessions of all mail matter, including airmail, sent by him under his written autograph signature in connection with his preparations for the assumption of official duties as Vice President.

"(e) Each President-elect and Vice-President-elect may designate to the Administrator an assistant authorized to make on his behalf such designations or findings of necessity as may be required in connection with the services and facilities to be provided under this Act. Not more than 10 per centum of the total expenditures under this Act for any President-elect or Vice-President-elect may be made upon the basis of a certificate by him or the assistant designated by him pursuant to this section that such expenditures are classified and are essential to the national security, and that they accord with the provisions of subsections (a), (b), and (d) of this section.

"(f) In the case where the President-elect is the incumbent President or in the case where the Vice-President-elect is the incumbent Vice President, there shall be no expenditures of funds for the provision of services and facilities to such incumbent under this Act, and any funds appropriated for such purposes shall be returned to the general funds of the Treasury.

"SEC. 4 [SERVICES AND FACILITIES AUTHORIZED TO BE PROVIDED TO FORMER PRESIDENTS AND FORMER VICE PRESIDENTS]. The Administrator is authorized to provide, upon request, to each former President and each former Vice President, for a period not to exceed six months from the date of the expiration of his term of office as President or Vice President, for use in con-

nection with winding up the affairs of his office, necessary services and facilities of the same general character as authorized by this Act to be provided to Presidents-elect and Vice-Presidents-elect. Any person appointed or detailed to serve a former President or former Vice President under authority of this section shall be appointed or detailed in accordance with, and shall be subject to, all of the provisions of section 3 of this Act applicable to persons appointed or detailed under authority of that section. The provisions of the Act of August 25, 1958 (72 Stat. 838; 3 U.S.C. 102, note), other than subsections (a) and (e) shall not become effective with respect to a former President until six months after the expiration of his term of office as President.

"SEC. 5 [AUTHORIZATION OF APPROPRIATIONS]. There are hereby authorized to be appropriated to the Administrator such funds as may be necessary for carrying out the purposes of this Act, except that with respect to any one Presidential transition—

"(1) not more than $2,000,000 may be appropriated for the purposes of providing services and facilities to the President-elect and Vice President-elect under section 3, and

"(2) not more than $1,000,000 may be appropriated for the purposes of providing services and facilities to the former President and former Vice President under section 4.

The President shall include in the budget transmitted to Congress, for each fiscal year in which his regular term of office will expire, a proposed appropriation for carrying out the purposes of this Act."

Pub. L. 94-499, § 3, Oct. 14, 1976, 90 Stat. 2380, provided that amendment of section 5 of Pub. L. 88-277 by section 1 of Pub. L. 94-499, respecting revision of appropriation authorization, shall be effective Oct. 14, 1976.

FORMER PRESIDENTS; ALLOWANCE; SELECTION, COMPENSATION, AND STATUS OF OFFICE STAFF; OFFICE SPACE; WIDOW'S ALLOWANCE, TERMINATION; "FORMER PRESIDENT" DEFINED

Pub. L. 85-745, Aug. 25, 1958, 72 Stat. 838, as amended by Pub. L. 86-682, § 12(c), Sept. 2, 1960, 74 Stat. 730; Pub. L. 88-426, title I, § 124, Aug. 14, 1964, 78 Stat. 412; Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 660; Pub. L. 90-206, title II, § 224(c), Dec. 16, 1967, 81 Stat. 642; Pub. L. 91-231, § 7, Apr. 15, 1970, 84 Stat. 198; Pub. L. 91-658, § 6, Jan. 8, 1971, 84 Stat. 1963, provided that:

"(a) Each former President shall be entitled for the remainder of his life to receive from the United States a monetary allowance at a rate per annum, payable monthly by the Secretary of the Treasury, which is equal to the annual rate of basic pay, as in effect from time to time, of the head of an executive department, as defined in section 101 of title 5, United States Code. However, such allowance shall not be paid for any period during which such former President holds an appointive or elective office or position in or under the Federal Government or the government of the District of Columbia to which is attached a rate of pay other than a nominal rate.

"(b) The Administrator of General Services shall, without regard to the civil-service and classification laws, provide for each former President an office staff. Persons employed under this subsection shall be selected by the former President and shall be responsible only to him for the performance of their duties. Each former President shall fix basic rates of compensation for persons employed for him under this paragraph which in the aggregate shall not exceed $96,000 per annum. The annual rate of compensation payable to any such person shall not exceed the highest annual rate of basic pay now or hereafter provided by law for positions at level II of the Executive Schedule under section 5313 of title 5, United States Code.

"(c) The Administrator of General Services shall furnish for each former President suitable office space appropriately furnished and equipped, as determined by the Administrator, at such place within the United States as the former President shall specify.

"(d) [Repealed. Pub. L. 86-682, § 12(c), Sept. 2, 1960, 74 Stat. 730. See sections 3214 and 3216 of Title 39.]

"(e) The widow of each former President shall be entitled to receive from the United States a monetary allowance at a rate of $20,000 per annum, payable monthly by the Secretary of the Treasury, if such widow shall waive the right to each other annuity or pension to which she is entitled under any other Act of Congress. The monetary allowance of such widow—

"(1) commences on the day after the former President dies;

"(2) terminates on the last day of the month before such widow—

"(A) dies; or

"(B) remarries before becoming 60 years of age; and

"(3) is not payable for any period during which such widow holds an appointive or elective office or position in or under the Federal Government or the government of the District of Columbia to which is attached a rate of pay other than a nominal rate.

"(f) As used in this section, the term 'former President' means a person—

"(1) who shall have held the office of President of the United States of America;

"(2) whose service in such office shall have terminated other than by removal pursuant to section 4 of article II of the Constitution of the United States of America; and

"(3) who does not then currently hold such office."

FORMER PRESIDENT EISENHOWER; ALLOWANCE; COMPENSATION OF OFFICE STAFF; WIDOW'S PENSION

Allowance to former President Eisenhower as precluding entitlement to pay of General of the Army, compensation of office staff to former President to be reduced by pay of military assistants to the General of the Army, and benefits of widow of former President unaffected by restoration of military status, see Appointment of General of the Army note under former sections 1691 to 1697 of Title 50, Appendix.

§ 103. Traveling expenses

There may be expended for or on account of the traveling expenses of the President of the United States such sum as Congress may from time to time appropriate, not exceeding $40,000 per annum, such sum when appropriated to be expended in the discretion of the President and accounted for on his certificate solely.

(June 25, 1948, ch. 644, 62 Stat. 678.)

§ 104. Salary of the Vice President

The per annum rate of salary of the Vice President of the United States shall be the rate determined for such position under chapter 11 of title 2, as adjusted under this section. Effective at the beginning of the first month in which an adjustment takes effect under section 5305 of title 5 in the rates of pay under the General Schedule, the salary of the Vice President shall be adjusted by an amount, rounded to the nearest multiple of $100 (or if midway between multiples of $100, to the nearest higher multiple of $100), equal to the percentage of such per annum rate which corresponds to the overall average percentage (as set forth in the report transmitted to the Congress under section 5305 of title 5) of the adjustment in such rates of pay. Such salary shall be paid on a monthly basis.

(June 25, 1948, ch. 644, 62 Stat. 678; Jan. 19, 1949, ch. 2, § 1(b), 63 Stat. 4; Mar. 2, 1955, ch. 9, § 4(c), 69 Stat. 11; Aug. 14, 1964, Pub. L. 88-426, title III, § 304(a), 78 Stat. 422; Sept. 15, 1969,

Pub. L. 91-67, § 1, 83 Stat. 106; Aug. 9, 1975, Pub. L. 94-82, title II, § 203, 89 Stat. 420.)

1977 INCREASE IN SALARY

Salary of the Vice President of the United States increased to $75,000 per annum, upon recommendation of the President of the United States, see note set out under section 358 of Title 2, The Congress.

PAY INCREASE EFFECTIVE FOR PAY PERIOD BEGINNING ON OR AFTER OCTOBER 1, 1976

Pursuant to the authority vested in him by Pub. L. 94-82, the President, under Ex. Ord. No. 11941, Oct. 1, 1976, 41 F.R. 43889, set out as a note under section 5332 of Title 5, Government Organization and Employees, adjusted the annual rate of pay for the Vice President, effective on the first day of the first applicable pay period beginning on or after Oct. 1, 1976, to $68,800. Ex. Ord. No. 11941, further provided that pursuant to the Legislative Branch Appropriation Act, 1977, funds are not available to pay a salary at a rate which exceeds the rate in effect on Sept. 30, 1976, which was $65,600.

PAY INCREASE EFFECTIVE FOR PAY PERIOD BEGINNING ON OR AFTER OCTOBER 1, 1975

Pursuant to the authority vested in him by Pub. L. 94-82, the President, under Ex. Ord. No. 11883, Oct. 6, 1975, 40 F.R. 47091, set out as a note under section 5332 of Title 5, Government Organization and Employees, adjusted the annual rate of pay for the Vice President, effective on the first day of the first applicable pay period beginning on or after Oct. 1, 1975, to $65,600.

AMENDMENTS

1975—Pub. L. 94-82 substituted provisions for a rate of salary to be determined under chapter 11 of title 2, as adjusted under this section, with adjustments equal to the percentage of such per annum rate which corresponds to the overall average percentage of the adjustment in such rates of pay for provisions for a per annum rate of salary of $62,500.

1969—Pub. L. 91-67 increased the per annum rate of salary of the Vice President from $43,000 to $62,500.

1964—Pub. L. 88-426 increased the Vice President's salary from $35,000 to $43,000 per year.

1955—Act. Mar. 2, 1955, increased the compensation of the Vice President from $30,000 to $35,000.

1949—Act. Jan. 19, 1949, increased the Vice President's salary from $20,000 per year to $30,000.

EFFECTIVE DATE OF 1969 AMENDMENT

Section 3 of Pub. L. 91-67 provided that: "The amendments made by this Act [amending this section and section 31 of Title 2] shall become effective on March 1, 1969."

EFFECTIVE DATE OF 1964 AMENDMENT

Amendment by Pub. L. 88-426 effective on the first day of the first pay period which begins on or after July 1, 1964, except to the extent provided in section 501(c) of Pub. L. 88-426, see section 504 of Pub. L. 88-426.

EFFECTIVE DATE OF 1955 AMENDMENT

Amendment by act Mar. 2, 1955, effective Mar. 1, 1955, see note under section 31 of Title 2, The Congress.

EFFECTIVE DATE OF 1949 AMENDMENT

Amendment by act Jan. 19, 1949, effective at noon on Jan. 20, 1949, see note set out under section 102 of this title.

LONG-DISTANCE TELEPHONE CALLS

Section 58 of Title 2, The Congress, relating to long-distance telephone calls for Senators is made applicable to the Vice President under the provisions of section 58 of Title 2, The Congress.

CROSS REFERENCES

Claims for overpayment of pay or allowances to the Vice President, see section 130c of Title 2, The Congress.

§ 105. Compensation of secretaries and executive, administrative, and staff assistants to President

The President is authorized to fix the compensation of the six administrative assistants authorized to be appointed under section 106 of this title, of the Executive Secretary of the National Security Council, of the Executive Secretary of the National Aeronautics and Space Council, of the Executive Secretary of the Economic Opportunity Council, and of eight other secretaries or immediate staff assistants in the White House Office at rates of basic compensation not to exceed that of level II of the Federal Executive Salary Schedule.

(June 25, 1948, ch. 644, 62 Stat. 678; Oct. 15, 1949, ch. 695, § 2(a), 63 Stat. 880; Oct. 4, 1961, Pub. L. 87-367, title III, § 303(h), 75 Stat. 794; Aug. 14, 1964, Pub. L. 88-426, title III, § 304(b), 78 Stat. 422; Dec. 23, 1967, Pub. L. 90-222, title I, § 111(c), 81 Stat. 726.)

REFERENCES IN TEXT

The Federal Executive Schedule, referred to in text, was redesignated the Executive Schedule by Pub. L. 89-554, and is set out in subchapter II (§ 5311 et seq.) of chapter 53 of Title 5, Government Organization and Employees. Level II of the Executive Schedule is contained in section 5313 of Title 5.

AMENDMENTS

1967—Pub. L. 90-222 inserted the position of Executive Secretary of the Economic Opportunity Council.

1964—Pub. L. 88-426 included the Executive Secretary of the National Aeronautics and Space Council, and substituted provisions permitting the President to fix the compensation of the enumerated personnel at rates of basic compensation not more than that of level II of the Federal Executive Salary Schedule for provisions which limited the compensation of such personnel to two at rates not more than $22,500, three at not more than $21,000, seven at not more than $20,000 and three at not more than $18,500 per annum.

1961—Pub. L. 87-367 authorized the President to increase the compensation of three assistants to the President from $17,500 to $18,500 per annum.

1949—Act Oct. 15, 1949, increased compensation of secretaries, and executive, administrative, and staff assistants.

EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-222 effective immediately upon enactment of Pub. L. 90-222, which was approved on Dec. 23, 1967, see section 401 of Pub. L. 90-222, set out as a note under section 2711 of Title 42, The Public Health and Welfare.

EFFECTIVE DATE OF 1964 AMENDMENT

Amendment by Pub. L. 88-426 effective on the first day of the first pay period which begins on or after

July 1, 1964, except to the extent provided in section 501(c) of Pub. L. 88-426, see section 501 of Pub. L. 88-426.

EFFECTIVE DATE OF 1961 AMENDMENT

Amendments by Pub. L. 87-367 effective at the beginning of the first pay period which begins on or after the sixtieth day following Oct. 4, 1961, see section 305 of Pub. L. 87-367, set out as a note under section 74a-1 of Title 2, The Congress.

EFFECTIVE DATE OF 1949 AMENDMENT

The increased compensation provided for by act Oct. 15, 1949, took effect on the first day of the first pay period after Oct. 15, 1949, see section 9 of act Oct. 15, 1949, set out as a note under section 273 of Title 2, The Congress.

REPEALS

Act July 31, 1956, ch. 804, title I, § 109, 70 Stat. 740, which amended this section to authorize the President to fix the compensation of additional secretaries or other immediate staff assistants and increased salary rates, was repealed by Pub. L. 88-426, title III, § 305(1), Aug. 14, 1964, 78 Stat. 422.

ABOLISHMENT OF NATIONAL AERONAUTICS AND SPACE COUNCIL

The National Aeronautics and Space Council, including the office of Executive Secretary of the Council, together with the functions of the Council, was abolished by section 3(a)(4) of 1973 Reorg. Plan No. 1, effective July 1, 1973, set out in the Appendix to Title 5, Government Organization and Employees.

CROSS REFERENCES

Former Presidents, office staff, see note set out under section 102 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 106 of this title.

§ 106. Administrative assistants

The President is authorized to appoint not to exceed six administrative assistants and to fix their compensation in accordance with section 105 of this title. Each such administrative assistant shall perform such duties as the President may prescribe.

(June 25, 1948, ch. 644, 62 Stat. 678; Oct. 15, 1949, ch. 695, § 2(b), 63 Stat. 880.)

AMENDMENTS

1949—Act Oct. 15, 1949, deleted salary provisions which are now covered by section 105 of this title.

EFFECTIVE DATE OF 1949 AMENDMENT

The increased compensation provided for by act Oct. 15, 1949, took effect on the first day of the first pay period after Oct. 15, 1949, see section 9 of act Oct. 15, 1949, set out as a note under section 273 of Title 2, The Congress.

FORMER PRESIDENT'S OFFICE STAFF

See note under section 102 of this title.

EX. ORD. NO. 11456. SPECIAL ASSISTANT TO THE PRESIDENT FOR LIAISON WITH FORMER PRESIDENTS

Ex. Ord. No. 11456, Feb. 14, 1969, 34 F.R. 2301, provided:

By virtue of the authority vested in me as President of the United States, it is hereby ordered as follows:

SECTION 1. There shall be in the White House Office a Special Assistant to the President for Liaison with Former Presidents (referred to hereinafter as the Special Assistant).

SEC. 2. (a) On behalf of the President, the Special Assistant shall maintain channels of communication between the President and each former living President of the United States, to the end that (1) each such former President shall be kept abreast of such developments as the President may desire; and (2) the President may avail himself of the counsel and advice of any or all of such former Presidents with respect to major matters, particularly of a national security nature, currently confronting the President.

(b) The Special Assistant shall also—

(1) Keep each former President currently informed of the major aspects of such principal international and domestic problems as the President directs;

(2) Arrange to secure from such former Presidents, or any of them, and convey to the President, their views on such issues as the President may designate; and

(3) Arrange to secure and convey to the President such views as any of the former Presidents may wish to communicate to the President on any issue of current interest or concern.

SEC. 3. (a) The Secretary of State, the Secretary of Defense, the Director of the Central Intelligence Agency, and the Executive Secretary of the National Security Council shall each designate a member of his staff as a point of contact for the Special Assistant. The Special Assistant may call upon such designated staff members to supply information and render such other appropriate assistance as he may require in carrying out his duties under section 2 of this Order.

(b) Upon request of the Special Assistant, the head of any department or agency of the Federal Government shall designate a member of his staff as a point of contact to supply information and assistance for the Special Assistant in the performance of his duties in the same manner as provided in subsection (a) for staff members designated pursuant to that subsection.

SEC. 4. The Special Assistant shall be appointed by the President and shall serve at the pleasure of the President. He shall receive compensation at such rate as the President, consonant with law, may prescribe.

SEC. 5. (a) The Special Assistant shall have such staff and other assistance as may be necessary to carry out his duties under this Order.

(b) The Special Assistant shall be provided with such office space as may be necessary to carry out his duties under this Order, and shall also be provided with such office space, and maintenance thereof, as may be necessary for the use of former Presidents at the seat of Government when they are engaged in any effort of interest or concern to the President.

SEC. 6. (a) The compensation and expenses of the Special Assistant and members of his staff shall be paid from the appropriation under the heading "Special" in the Executive Office Appropriation Act, 1969, or any corresponding appropriation which may be made for subsequent fiscal years, or from such other appropriated funds as may be available under law.

(b) The General Services Administration shall provide, on a reimbursable basis, such administrative services and facilities for the Special Assistant as the White House Office may request.

RICHARD NIXON.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 105 of this title.

§ 107. Detail of employees of executive departments to office of President

Employees of the executive departments and independent establishments of the executive branch of the Government may be detailed from time to time to the White House Office for temporary assistance.

(June 25, 1948, ch. 644, 62 Stat. 679.)

FORMER PRESIDENT'S OFFICE STAFF

See note under section 102 of this title.

[§ 108. Repealed. June 28, 1950, ch. 383, title IV, § 401 (j), 64 Stat. 271]

Section, act June 25, 1948, ch. 644, 62 Stat. 679, related to accommodations for vehicles.

ADDITIONAL REPEAL

In so far as this section, by virtue of a former proviso in section 401 of act June 28, 1950, continued to remain in effect to the extent that it was applicable to the Department of the Air Force, and the United States Air Force, it was additionally repealed by act Sept. 19, 1951, ch. 407, title IV, § 401(a)(1), 65 Stat. 333.

REPEAL OF PRIOR LAW

Act Oct. 31, 1951, ch. 654, § 1(2), 65 Stat. 701, repealed that part of act Mar. 4, 1911, ch. 285, § 1, 36 Stat. 1404, from which this former section, as enacted by act June 25, 1948, ch. 644, § 1, 62 Stat. 672, had been derived. That part of the 1911 act had previously been repealed by section 3 of the 1948 act.

§ 109. Public property in and belonging to Executive Mansion

The steward, housekeeper, or such other employee of the Executive Mansion as the President may designate, shall under the direction of the President, have the charge and custody of and be responsible for the plate, furniture, and public property therein. A complete inventory, in proper books, shall be made annually in the month of June, under the direction of the Director of the National Park Service, of all the public property in and belonging to the Executive Mansion, showing when purchased, its cost, condition, and final disposition. This inventory shall be submitted to the President for his approval, and shall then be kept for reference in the office of the Director of the National Park Service, which shall furnish a copy thereof to the steward, housekeeper, or other employee responsible for the property.

(June 25, 1948, ch. 644, 62 Stat. 679; June 6, 1972, Pub. L. 92-310, title II, § 201, 86 Stat. 202.)

AMENDMENTS

1972—Pub. L. 92-310 eliminated provisions which required a bond in the sum of $10,000 from the person having charge and custody of the plate, furniture and public property.

TRANSFER OF FUNCTIONS

All functions of all other officers of the Department of the Interior and all functions of all agencies and employees of such Department were, with two exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorg. Plan No. 3, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

§ 110. Furniture for White House

All furniture purchased for the use of the President's House shall be, as far as practicable, of domestic manufacture. With a view to conserving in the White House the best specimens of the early American furniture and furnishings, and for the purpose of maintaining the interior of the White House in keeping with its original design, the Director of the National Park Service is authorized and directed, with the approval of the President, to accept donations of furniture and furnishings for use in the White House, all such articles thus donated to become the property of the United States and to be accounted for as such. The said Director of the National Park Service is further authorized and directed, with the approval of the President, to appoint a temporary committee composed of one representative of the American Federation of Arts, one representative of the National Commission of Fine Arts, one representative of the National Academy of Design, one member of the American Institute of Architects, and five members representing the public at large; the said committee to have full power to select and pass on the articles in question and to recommend the same for acceptance.

(June 25, 1948, ch. 644, 62 Stat. 679.)

TRANSFER OF FUNCTIONS

Functions of officers of the Department of the Interior and all functions of all agencies and employees of such Department, with two exceptions, transferred to the Secretary of the Interior, see note under section 109 of this title.

COMMISSION ON RENOVATION OF THE EXECUTIVE MANSION

Act Apr. 14, 1949, ch. 51, 63 Stat. 45, authorized appointment of a commission of six to supervise and approve all construction plans and work necessary to remedy the present unsafe conditions in the Executive Mansion and to modernize same.

WHITE HOUSE; ADMINISTRATION; PRESERVATION OF MUSEUM CHARACTER; ARTICLES OF HISTORIC OR ARTISTIC INTEREST

Pub. L. 87-286, Sept. 22, 1961, 75 Stat. 586, provided:

"That all of that portion of reservation numbered 1 in the city of Washington, District of Columbia, which is within the President's park enclosure, comprising eighteen and seven one-hundredths acres, shall continue to be known as the White House and shall be administered pursuant to the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-3), and Acts supplementary thereto and amendatory thereof. In carrying out this Act primary attention shall be given to the preservation and interpretation of the museum character of the principal corridor on the ground floor and the principal public rooms on the first floor of the White House, but nothing done under this Act shall conflict with the administration of the Executive offices of the President or with the use and occupancy of the buildings and grounds as the home of the President and his family and for his official purposes.

"SEC. 2. Articles of furniture, fixtures, and decorative objects of the White House, when declared by the President to be of historic or artistic interest, together with such similar articles, fixtures, and objects as are acquired by the White House in the future when similarly so declared, shall thereafter be considered to be inalienable and the property of the White House. Any such article, fixture, or object when not in use or on display in the White House shall be transferred by direction of the President as a loan to the Smithsonian Institution for its care, study, and storage or exhibition and such articles, fixtures, and objects shall be returned to the White House from the Smithsonian Institution on notice by the President.

"SEC. 3. Nothing in this Act shall alter any privileges, powers, or duties vested in the White House Police and the United States Secret Service, Treasury Department, by section 202 of title 3, United States Code, and section 3056 of title 18, United States Code."

EX. ORD. NO. 11145. CURATOR OF WHITE HOUSE; COMMITTEE FOR PRESERVATION OF WHITE HOUSE

Ex. Ord. No. 11145, Mar. 7, 1964, 29 F.R. 3189, as amended by Ex. Ord. No. 11565, Oct. 13, 1970, 35 F.R. 16155, provided:

WHEREAS the White House, as the home of the highest elective officer of the United States,

—symbolizes the American ideal of responsible self-government

—is emblematic of our democracy and our national purpose

—has been intimately associated with the personal and social life of the Presidents of the United States and many of their official acts

—occupies a particular place in the heart of every American citizen, and

WHEREAS certain historic rooms and entranceways in the White House

—possess great human interest and historic significance

—traditionally have been open to visitors

—have provided pleasure and patriotic inspiration to millions of our citizens

—have come to be regarded as a public museum and the proud possession of all Americans, and

WHEREAS the Congress by law (Act of September 22, 1961), (75 Stat. 586) [set out as a note under this section] has authorized the care and preservation of the historic and artistic contents of the White House and has given the President certain responsibilities with regard thereto:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, it is ordered as follows:

SECTION 1. (a) There shall be in the White House a Curator of the White House. The Curator shall assist in the preservation and protection of the articles of furniture, fixtures, and decorative objects used or displayed in the principal corridor on the ground floor and the principal public rooms on the first floor of the White House, and in such other areas in the White House as the President may designate.

(b) The Curator shall report to the President and shall make recommendations with respect to the articles, fixtures, and objects to be declared by the President, under section 2 of the Act of September 22, 1961, to be of historic or artistic interest.

SEC. 2. There is hereby established the Committee for the Preservation of the White House, hereinafter referred to as the "Committee". The Committee shall be composed of the Director of the National Park Service, the Curator of the White House, the Secretary of the Smithsonian Institution, the Chairman of the Commission of Fine Arts, the Director of the National Gallery of Art, the Chief Usher of the White House, and so many other members as the President may from time to time appoint. The Director of the National Park Service shall serve as Chairman of the Committee and shall designate an employee of that Service to act as Executive Secretary of the Committee. Members of the Committee shall serve without compensation.

SEC. 3. (a) The Committee shall report to the President and shall advise the Director of the National Park Service with respect to the discharge of his responsibility under the Act of September 22, 1961, for the preservation and the interpretation of the museum character of the principal corridor on the ground floor and the principal public rooms on the first floor of the White House. Among other things, the Committee shall make recommendations as to the articles of furniture, fixtures, and decorative objects which shall be used or displayed in the aforesaid areas of the White House and as to the decor and arrangements therein best suited to enhance the historic and artistic values of the White House and of such articles, fixtures, and objects.

(b) The Committee shall cooperate with the White House Historical Association, a nonprofit organization heretofore formed under the laws of the District of Columbia.

(c) The Committee is authorized to invite individuals who are distinguished or interested in the fine arts to attend its meetings or otherwise to assist in carrying out its functions.

SEC. 4. Consonant with law, each Federal department and agency represented on the Committee shall furnish necessary assistance to the Committee in accordance with section 214 of the Act of May 3, 1945, 59 Stat. 134 (31 U.S.C. 691). The Department of the Interior shall furnish necessary administrative services for the Committee.

LYNDON B. JOHNSON.

EXTENSION OF TERM OF COMMITTEE FOR THE PRESERVATION OF THE WHITE HOUSE

Term of the Committee for the Preservation of the White House extended until Dec. 31, 1978, see Ex. Ord. No. 11948, Dec. 20, 1976, 41 F.R. 55705, set out as a note under section 14 of Appendix to Title 5, Government Organization and Employees.

CROSS REFERENCES

American materials required for public uses, see section 10a of Title 41, Public Contracts.

§ 111. Expense allowance of Vice President

There shall be paid to the Vice President in equal monthly installments an expense allowance of $10,000 per annum to assist in defraying expenses relating to or resulting from the discharge of his official duties, for which no accounting, other than for income tax purposes, shall be made by him.

(Added Jan. 19, 1949, ch. 2, § 1(c), 63 Stat. 4, and amended Oct. 20, 1951, ch. 521, title VI, § 619(b), 65 Stat. 570.)

AMENDMENTS

1951—Act Oct. 20, 1951, made the Vice President's expense allowance taxable.

EFFECTIVE DATE OF 1951 AMENDMENT

Section 619(e) of the act Oct. 20, 1951, provided in part that this amendment should become effective at noon on Jan. 20, 1953.

EFFECTIVE DATE

Section effective at noon on Jan. 20, 1949, see section 3 of act Jan. 19, 1949, set out as a note under section 102 of this title.

OFFICIAL RESIDENCE FOR THE VICE PRESIDENT; DESIGN AND CONSTRUCTION; AUTHORIZATION OF APPROPRIATION

Pub. L. 89-386, Apr. 9, 1966, 80 Stat. 106, provided:

"That the Administrator of General Services is hereby authorized to plan, design, and construct an official residence for the Vice President of the United States in the District of Columbia.

"SEC. 2. The Administrator is further authorized to use as a site for such residence Federal land and property comprising approximately ten acres at the United States Naval Observatory, the specific area and boundaries thereof to be determined jointly by the General Services Administration and the Department of the Navy: *Provided*, That any roads and improvements thereon for which there is a continued need may be relocated and reconstructed.

"SEC. 3. The Administrator is further authorized to provide for the care, maintenance, repair, improvement, alteration, and furnishing of the official residence and grounds, including heating, lighting, and air conditioning, which services shall be provided at the expense of the United States.

"SEC. 4. The Administrator of General Services is further authorized to accept cash gifts, furniture, and furnishings and other types of gifts on behalf of the United States for use in constructing and furnishing

the official residence but without further conditions on use, all such articles thus given to become the property of the United States.

"SEC. 5. There is authorized to be appropriated to the General Services Administration, the sum of $750,000 for planning, design, construction, and costs incidental thereto, including the cost of initial furnishings.

"SEC. 6. There is further authorized to be appropriated to the General Services Administration, annually, such amounts as may be necessary to carry out the purposes of section 3."

OFFICIAL TEMPORARY RESIDENCE OF THE VICE PRESIDENT

Pub. L. 93-346, July 12, 1974, 88 Stat. 340, as amended by Pub. L. 93-552, title VI, § 609(a), Dec. 27, 1974, 88 Stat. 1764, provided:

"That effective July 1, 1974, the Government-owned house together with furnishings, associated grounds (consisting of twelve acres, more or less), and related facilities which have heretofore been used as the residence of the Chief of Naval Operations, Department of the Navy, shall, on and after such date be available for, and are hereby designated as, the temporary official residence of the Vice President of the United States.

"SEC. 2. The temporary official residence of the Vice President shall be adequately staffed and provided with such appropriate equipment, furnishings, dining facilities, services, and other provisions as may be required, under the supervision and direction of the Vice President, to enable him to perform and discharge appropriately the duties, functions, and obligations associated with his high office.

"SEC. 3. The Secretary of the Navy shall, subject to the supervision and control of the Vice President, provide for the military staffing and the care and maintenance of the grounds of the temporary official residence of the Vice President and, subject to reimbursement therefor out of funds appropriated for such purposes, provide for the civilian staffing, care, maintenance, repair, improvement, alteration, and furnishing of such residence.

"SEC. 4. There is hereby authorized to be appropriated such sums as may be necessary from time to time to carry out the foregoing provisions of this joint resolution. During any interim period until and before any such funds are so appropriated, the Secretary of the Navy shall make provision for staffing and other appropriate services in connection with the temporary official residence of the Vice President from funds available to the Department of the Navy, subject to reimbursement therefor from funds subsequently appropriated to carry out the purposes of this joint resolution.

"SEC. 5. After the date on which the Vice President moves into the temporary official residence provided for in this joint resolution no funds may be expended for the maintenance, care, repair, furnishing, or security of any residence for the Vice President other than the temporary official residence provided for in this joint resolution unless the expenditure of such funds is specifically authorized by law enacted after such date.

"SEC. 6. The Secretary of the Navy is authorized and directed, with the approval of the Vice President, to accept donations of money or property for the furnishing of or making improvements in or about the temporary official residence of the Vice President, all such donations to become the property of the United States and to be accounted for as such.

"SEC. 7. [Amended section 202 of this title].

"SEC. 8. [Amended section 3056(a) of title 18].

"SEC. 9. It is the sense of Congress that living accommodations, generally equivalent to those available to the highest ranking officer on active duty in each of the other military services, should be provided for the Chief of Naval Operations."

CHAPTER 3—PROTECTION OF THE PRESIDENT; THE EXECUTIVE PROTECTIVE SERVICE

Sec.
[201. Repealed.]
202. Executive Protective Service; establishment, control, and supervision; privileges, powers, and duties.
203. Personnel, appointment, and vacancies.
204. Grades, salaries, and transfers of appointees.
205.[1] Appointment in accordance with civil-service laws.
206. Privileges of civil-service appointees.
207. Participation in police and firemen's relief fund.
208. Reimbursement of State and local governments.
209. Appropriation to carry out provisions.

AMENDMENTS

1975—Pub. L. 94-196, § 1(d)(2), Dec. 31, 1975, 89 Stat. 1110, added item 208, and renumbered former item 208 as 209.

1970—Pub. L. 91-217, § 1(2), Mar. 19, 1970, 84 Stat. 74, substituted "Executive Protective Service" for "White House Police" in the chapter heading and in item 202.

1951—Act July 16, 1951, ch. 226, § 5(b), 65 Stat. 122, deleted item 201.

[§ 201. Repealed. July 16, 1951, ch. 226, § 5(a), 65 Stat. 122]

Section, act June 25, 1948, ch. 644, 62 Stat. 680, related to protection of President and family, and is now covered by section 3056 of Title 18, Crimes and Criminal Procedure.

§ 202. Executive Protective Service; establishment, control, and supervision; privileges, powers, and duties

There is hereby created and established a permanent police force, to be known as the "Executive Protective Service". Subject to the supervision of the Secretary of the Treasury, the Executive Protective Service shall perform such duties as the Director, United States Secret Service, may prescribe in connection with the protection of the following: (1) the Executive Mansion and grounds in the District of Columbia; (2) any building in which Presidential offices are located; (3) the President and members of his immediate family; (4) foreign diplomatic missions located in the metropolitan area of the District of Columbia; (5) the temporary official residence of the Vice President and grounds in the District of Columbia; (6) the Vice President and members of his immediately[2] family; (7) foreign diplomatic missions located in metropolitan areas (other than the District of Columbia) in the United States where there are located twenty or more such missions headed by full-time officers, except that such protection shall be provided only (A) on the basis of extraordinary protective need, (B) upon request of the affected metropolitan area, and (C) when the extraordinary protective need arises in association with a visit to or occurs at a permanent mission to an international organization of which the United States is a member or an observer mission invited to participate in the work of such organization, provided that such protection may be extended at places of temporary domicile in connection with such a visit; and (8) foreign diplomatic missions located in such areas in the United States, its territories and possessions, as the President, on a

[1] Section repealed without amending analysis.
[2] So in original.

case-by-case basis, may direct. The members of such force shall possess privileges and powers similar to those of the members of the Metropolitan Police of the District of Columbia.

(June 25, 1948, ch. 644, 62 Stat. 680; June 8, 1962, Pub. L. 87-481, § 1, 76 Stat. 95; Mar. 19, 1970, Pub. L. 91-217, § 1(2), (3), 84 Stat. 74; Dec. 27, 1974, Pub. L. 93-552, title VI, § 609(a), 88 Stat. 1764; Dec. 31, 1975, Pub. L. 94-196, § 1(a), (b), 89 Stat. 1109.)

AMENDMENTS

1975—Pub. L. 94-196 redesignated former cl. (7) as cl. (8) and in cl. (8) as so redesignated substituted "in such areas" for "in such other areas", and added cl. (7).

1974—Pub. L. 93-552 redesignated former cl. (5) as (7) and added cls. (5) and (6).

1970—Pub. L. 91-217 substituted "Executive Protective Service" for "White House Police", substituted the Director, United States Secret Service, for the Secretary of the Treasury as the immediate director of Service operations, and added foreign diplomatic missions located in the metropolitan area of the District of Columbia and foreign diplomatic missions located in other areas as the President may direct to the enumerated list of areas under protection.

1962—Pub. L. 87-481 transferred the control and supervision of the White House Police from the Chief of the Secret Service Division to the Secretary of the Treasury and required such force to perform duties in connection with the protection of any building in which White House offices are located and the President and members of his immediate family.

CHANGE OF NAME

Pub. L. 91-297, title II, § 202, June 30, 1970, 84 Stat. 358, provided that: "All laws of the United States in force on the date of enactment of this title [June 30, 1970] in which reference is made to the White House Police force are amended by substituting 'Executive Protective Service' for each such reference."

EFFECTIVE DATE OF 1975 AMENDMENT

Section 1(e) of Pub. L. 94-196 provided that: "The amendments made by subsections (a), (b), and (d) of this section [enacting section 208 of this title and amending this section] shall take effect as of July 1, 1974."

EFFECTIVE DATE OF 1974 AMENDMENT

Section 609(b) of Pub. L. 93-552 provided in part that the amendment of this section and section 3056 of Title 18 by section 609(a) of Pub. L. 93-552 shall become effective July 12, 1974.

TRANSFER OF FUNCTIONS

All functions of all officers of the Department of the Treasury, and all functions of all agencies and employees of such Department, were transferred, with certain exceptions, to the Secretary of the Treasury, with power vested in him to authorize their performance or the performance of any of his functions, by any of such officers agencies, and employees, by 1950 Reorg. Plan No. 26, §§ 1, 2, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, set out in the Appendix to Title 5, Government Organization and Employees. The Secret Service, referred to in this section, is an agency in the Treasury Department.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 208, 209 of this title.

§ 203. Personnel, appointment, and vacancies

(a) The Executive Protective Service shall consist of such number of officers, with grades corresponding to similar officers of the Metropolitan Police force, and of such number of privates, with grade corresponding to that of private of the highest grade in the Metropolitan Police force, as may be necessary but not exceeding twelve hundred in number.

(b) Members of the Executive Protective Service shall be recruited under the civil service laws and regulations on a nationwide basis. Members of such Service may also be appointed from the members of the Metropolitan Police force and the United States Park Police force from lists furnished by the officers in charge of such forces. Whenever any vacancy is created in the Metropolitan Police force or the United States Park Police force as the result of an appointment to the Executive Protective Service, such vacancy shall be filled in the manner provided by law. In the period of time which follows the date of enactment of this sentence and precedes January 1, 1975, not more than thirty members of the Metropolitan Police force may be appointed annually to the Executive Protective Service.

(June 25, 1948, ch. 644, 62 Stat. 680; Aug. 15, 1950, ch. 715, § 2, 64 Stat. 448; June 28, 1952, ch. 481, 66 Stat. 283; June 8, 1962, Pub. L. 87-481, § 2, 76 Stat. 95; Mar. 19, 1970, Pub. L. 91-217, § 1 (1), (4)-(6), 84 Stat. 74, 75; Dec. 31, 1975, Pub. L. 94-196, § 1(c), 89 Stat. 1109.)

REFERENCES IN TEXT

The civil service laws, referred to in subsec. (b), are set forth in Title 5, Government Organization and Employees. See, particularly, section 3301 et seq. of that title.

AMENDMENTS

1975—Subsec. (a). Pub. L. 94-196 increased maximum number of Executive Protective Service from eight hundred and fifty to twelve hundred.

1970—Subsec. (a). Pub. L. 91-217, § 1(1), (4), (5), substituted "Executive Protective Service" for "White House Police force", "eight hundred and fifty" for "two hundred and fifty", and struck out provisions limiting the appointment of White House Police to appointment from lists provided by the Metropolitan Police force and in the United States Park Police force and covering the filling of vacancies.

Subsec. (b). Pub. L. 91-217, § 1(6), substituted "Executive Protective Service" for "White House Police force" and added provisions for the recruiting of personnel on a nationwide basis and from lists provided by the Metropolitan Police force and the United States Park Police force and placed a limit of 30 on the number to be appointed from the Metropolitan Police force annually until Jan. 1, 1975.

1962—Subsec. (a). Pub. L. 87-481 increased the force from 170 to 250 members.

1952—Subsec. (a). Act June 28, 1952, increased the force from 133 to 170 members.

1950—Subsec. (a). Act Aug. 15, 1950, increased the force from 110 to 133 members.

TEMPORARY EXCEPTIONS TO LIMITATION

Acts Aug. 11, 1951, ch. 301, title I, § 101, 65 Stat. 185; June 30, 1952, ch. 523, title I, § 101, 66 Stat. 289, made appropriations for salaries and expenses of the White House Police force for fiscal years 1952 and 1953, and provided that the appropriations should be available for additional personnel without regard for the limitation contained in this section. The provisions were not

repeated in the Treasury Department Appropriation Act, 1954, act June 18, 1953, ch. 132, title I, 67 Stat. 67.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 209 of this title.

§ 204. Grades, salaries, and transfers of appointees

(a) No person shall be appointed a member of the Executive Protective Service at a grade lower than the grade held by him as a member of the Metropolitan Police force or of the United States Park Police force at the time of his appointment.

(b) A member of the Executive Protective Service shall receive a salary at the rate provided for the corresponding grade in the Metropolitan Police force (including longevity increases provided by section 401 of the District of Columbia Police and Firemen's Salary Act of 1958), and he shall be furnished with uniforms and other necessary equipment similar to the uniforms and equipment furnished the United States Park Police, and he shall be entitled to the same leave allowances as a member of the United States Park Police force.

(c) Any member of the Executive Protective Service appointed thereto from the Metropolitan Police force or the United States Park Police force may be transferred to the organization of which he was a member at the time of such appointment.

(June 25, 1948, ch. 644, 62 Stat. 680; June 20, 1953, ch. 146, title IV, § 402, 67 Stat. 76; Aug. 1, 1958, Pub. L. 85-584, title V, § 502(a), 72 Stat. 485; Mar. 19, 1970, Pub. L. 91-217, § 1(1), 84 Stat. 74.)

REFERENCES IN TEXT

Section 401 of the District of Columbia Police and Firemen's Salary Act of 1958, referred to in subsec. (b), is section 401 of Pub. L. 85-584, Aug. 1, 1958, 72 Stat. 485, which is classified to D.C. Code, § 4-832.

AMENDMENTS

1970—Pub. L. 91-217 substituted "Executive Protective Service" for "White House Police force" wherever appearing in subsecs. (a), (b), and (c).

1958—Subsec. (b). Pub. L. 85-584 substituted "section 401 of the District of Columbia Police and Firemen's Salary Act of 1958" for "section 102 of the District of Columbia Police and Firemen's Salary Act of 1953".

1953—Subsec. (b). Act June 20, 1953 inserted references to longevity pay.

EFFECTIVE DATE OF 1953 AMENDMENT

Section 407 of act June 20, 1953, provided that the amendment to this section shall take effect on July 1, 1953.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 209 of this title.

[§ 205. Repealed. Pub. L. 91-217, § 1(7), Mar. 19, 1970, 84 Stat. 75]

Section, act June 25, 1948, ch. 644, 62 Stat. 680, provided for the appointment of members of the White House Police force in accordance with civil service laws and is now covered by section 203(b) of this title.

§ 206. Privileges of civil-service appointees

Members of the Executive Protective Service not appointed from the Metropolitan Police force or the United States Park Police force shall be entitled to the same privileges as to salary, grade, uniforms, equipment, transfer, leave, relief funds, retirement, and refunds as members appointed from the Metropolitan Police force and the United States Park Police force.

(June 25, 1948, ch. 644, 62 Stat. 681; Mar. 19, 1970, Pub. L. 91-217, § 1(8), 84 Stat. 75.)

AMENDMENTS

1970—Pub. L. 91-217 substituted "Members of the Executive Protective Service not appointed from the Metropolitan Police force or the United States Park Police force" for "Members appointed pursuant to section 205 of this title".

CROSS REFERENCES

Details to participate in activities of Metropolitan Police Department Band, see D.C. Code, § 4-182a.

Uniforms to display U.S. flag emblem, see D.C. Code, § 4-130a.

§ 207. Participation in police and firemen's relief fund

(a) For the purposes of retirement under section 12 of the Act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1917, and for other purposes,[1] approved September 1, 1916, as amended, service with the United States Park Police force shall be deemed service with the Executive Protective Service.

(b) Any member of the Metropolitan Police force appointed to the Executive Protective Service shall continue to be subject to the provisions of section 12 of such Act, and appointment of such member to the Executive Protective Service or transfer of such member to his former organization shall not affect any right, privilege, or duty of such member under the provisions of such section of such Act.

(June 25, 1948, ch. 644, 62 Stat. 681; Mar. 19, 1970, Pub. L. 91-217, § 1(1), 84 Stat. 74.)

REFERENCES IN TEXT

Section 12 of act approved September 1, 1916, referred to in text, is act Sept. 1, 1916, ch. 433, § 12, 39 Stat. 718. See D.C. Code, §§ 4-521 to 4-535.

AMENDMENTS

1970—Pub. L. 91-217 substituted "Executive Protective Service" for "White House Police force" in subsecs. (a) and (b).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 209 of this title.

§ 208. Reimbursement of State and local governments

(a) In carrying out the functions pursuant to section 202(7), the Secretary of Treasury may utilize, with their consent, on a reimbursable basis, the services, personnel, equipment, and facilities of State and local governments, and is authorized to reimburse such State and local governments for the utilization of such services, personnel, equipment, and facilities. The authority of this subsection may be transferred by the President to the Secretary of State.

(b) There is authorized to be appropriated not more than $3,500,000 under this section for

[1] So in original. Probably should close quotation mark.

the purposes of reimbursement for any fiscal year, to remain available for expenditure as provided in appropriation Acts.

(Added Pub. L. 94-196, § 1(d)(1), Dec. 31, 1975, 89 Stat. 1109.)

EFFECTIVE DATE

Section effective July 1, 1974, see section 1(e) of Pub. L. 94-196, set out as a note under section 202 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 209 of this title.

§ 209. Appropriation to carry out provisions

There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of sections 202-204, 207, and 208 of this title.

(June 25, 1948, ch. 644, 62 Stat. 681, § 208, renumbered § 209, Dec. 31, 1975, Pub. L. 94-196, § 1(d)(1), 89 Stat. 1109.)

CHAPTER 4—DELEGATION OF FUNCTIONS

Sec.
301. General authorization to delegate functions; publication of delegations.
302. Scope of delegation of functions.
303. Definitions.

AMENDMENTS

1951—Chapter added by act Oct. 31, 1951, ch. 655, § 10, 65 Stat. 712.

SIMILAR PROVISIONS; REPEAL; SAVING CLAUSE

Similar provisions were contained in former chapter 4, comprising former sections 301 to 303 of this title, which was set out here but which was not a part of this title. Former sections 301 to 303 were derived from act Aug. 8, 1950, ch. 646, §§ 1 to 3, 64 Stat. 419, and were repealed by section 56(j) of act Oct. 31, 1951. Subsec. (*l*) of section 56 provided that the repeal should not affect any rights or liabilities existing under the repealed sections on the effective date of the repeal (Oct. 31, 1951).

§ 301. General authorization to delegate functions; publication of delegations

The President of the United States is authorized to designate and empower the head of any department or agency in the executive branch, or any official thereof who is required to be appointed by and with the advice and consent of the Senate, to perform without approval, ratification, or other action by the President (1) any function which is vested in the President by law, or (2) any function which such officer is required or authorized by law to perform only with or subject to the approval, ratification, or other action of the President: *Provided*, That nothing contained herein shall relieve the President of his responsibility in office for the acts of any such head or other official designated by him to perform such functions. Such designation and authorization shall be in writing, shall be published in the Federal Register, shall be subject to such terms, conditions, and limitations as the President may deem advisable, and shall be revocable at any time by the President in whole or in part.

(Added Oct. 31, 1951, ch. 655, § 10, 65 Stat. 712.)

TRANSFER OF FUNCTIONS

All functions vested by law (including reorganization plan) in the Bureau of the Budget or the Director of the Bureau of the Budget were transferred to the President of the United States by section 101 of 1970 Reorg. Plan No. 2, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085. Section 102 of 1970 Reorg. Plan No. 2, redesignated the Bureau of the Budget as the Office of Management and Budget and the Director of the Bureau of the Budget as Director of the Office of Management and Budget. See Reorganization Plan No. 2 of 1970, set out in the Appendix to Title 5, Government Organization and Employees.

SIMILAR PROVISIONS; REPEAL; SAVING CLAUSE

For similar provisions contained in prior law, and saving clause in connection therewith, see note preceding this section.

EX. ORD. NO. 10250. DELEGATION OF FUNCTIONS TO THE SECRETARY OF THE INTERIOR

Ex. Ord. No. 10250, June 5, 1951, 16 F.R. 5385, as amended by Ex. Ord. No. 10732, Oct. 10, 1957, 22 F.R. 8135; Ex. Ord. No. 10752, Feb. 12, 1958, 23 F.R. 973, provided:

1. The Secretary of the Interior is hereby designated and empowered to perform the following-described functions of the President without the approval, ratification, or other action of the President:

(a) The authority vested in the President by section 1 of the act of July 10, 1935, ch. 375, 49 Stat. 477 [now covered by sections 19e to 19n of title 16], to appoint members of the National Park Trust Fund Board.

(b) The authority vested in the President by section 2059 of the Revised Statutes [section 62 of title 25] to discontinue any Indian agency, or transfer the same, from the place or tribe designated by law to such other place or tribe as the public service may require.

(c) The authority vested in the President by section 6 of the act of May 17, 1882, ch. 168, 22 Stat. 88, as amended [section 63 of title 25], to consolidate two or more Indian agencies into one, to consolidate one or more Indian tribes, and to abolish such agencies as are thereby rendered unnecessary.

(d) The authority vested in the President by the act of March 1, 1907, ch. 2285, 34 Stat. 1016 [section 140 of title 25], to divert appropriations made for certain purposes to other uses for the benefit of the several Indian tribes: *Provided*, That the Secretary of the Interior shall make to the Congress reports required in connection with action taken by him under this provision.

(e) The authority vested in the President by section 5 of the act of February 8, 1887, ch. 119, 24 Stat. 389, as amended [section 348 of title 25], by the act of December 24, 1942, ch. 814, 56 Stat. 1081 [section 348a of title 25], by the act of June 21, 1906, ch. 3504, 34 Stat. 326 [section 391 of title 25], and by section 3 of the act of January 12, 1891, 26 Stat. 712, as amended by section 3 of the act of March 2, 1917, ch. 146, 39 Stat. 976, to extend trust periods on land patents issued to Indians and to continue restrictions on alienation.

(f) The authority vested in the President by [former] section 4705(b) of the Internal Revenue Code of 1954 to authorize certain persons in the Virgin Islands to obtain certain drugs for legitimate medical purposes without regard to order forms, and by [former] section 4762(b) of such Code to provide for the registration of and the imposition of special and transfer taxes upon persons in the Virgin Islands who import, manufacture, produce, compound, sell, deal in, dispense, prescribe, administer, or give away marihuana: *Provided*, That the Secretary of the Interior shall perform the functions referred to in this subsection in consultation with the Department of the Treasury.

(g) The authority vested in the President by section 2343 of the Revised Statutes [section 46 of title 30] to establish additional land districts and to appoint necessary officers under existing laws when deemed necessary for the public convenience in executing certain

provisions of law with respect to mineral lands and mining.

(h) The authority vested in the President by section 2252 of the Revised Statutes as affected by section 403 of Reorganization Plan No. 3 of 1946, 60 Stat. 1100 [section 121 of title 43], to order the discontinuance of any land office and the transfer of any of its business and archives to any other land office within the same State or Territory.

(i) The authority vested in the President by section 2250 of the Revised Statutes [section 125 of title 43] to discontinue a land office in a land district under certain circumstances and to annex the same to some other adjoining land district.

(j) The authority vested in the President by section 2251 of the Revised Statutes [section 126 of title 43] to change the location of the land offices in the several land districts established by law and to relocate the same from time to time at such point in the district as may be deemed expedient.

(k) The authority vested in the President by section 2253 of the Revised Statutes [section 127 of title 43], to change and reestablish the boundaries of land districts.

(l) The authority vested in the President by section 2 of the act of March 2, 1917, ch. 145, 39 Stat. 951, as amended [section 737 of title 48], to approve the payment out of the Treasury for other purposes of money derived from any tax levied or assessed for a special purpose in Puerto Rico.

(m) The authority vested in the President by section 7 of the act of March 2, 1917, ch. 145, 39 Stat. 954, as amended [section 748 of title 48], to convey to the people of Puerto Rico lands, buildings, or interests in lands, or other property owned by the United States, and to accept lands, buildings, or other interests or property by legislative grant from Puerto Rico.

(n) The authority vested in the President by section 3(b) of the act of March 3, 1925, ch. 426, 43 Stat. 1111, as amended [now covered by section 167d of title 50], to approve regulations governing the production and sale of helium for medical, scientific, and commercial use.

(o) The authority vested in the President by section 6 of the act of April 26, 1906, ch. 1876, 34 Stat. 139, to remove from office the principal chief of the Choctaw, Cherokee, Creek, or Seminole tribe or the governor of the Chickasaw tribe, to declare any such office vacant, and to fill any vacancy in any such office arising from removal, disability, or death of the incumbent.

(p) The authority vested in the President by section 28 of the act of April 26, 1906, ch. 1876, 34 Stat. 148, to approve acts, ordinances, or resolutions of the tribal council or legislature of the Choctaw, Chickasaw, Cherokee, Creek, and Seminole tribes or nations, and to approve contracts, involving the payment or expenditure of money or affecting property belonging to any of the said tribes or nations, made by them or any of them or by any officer thereof.

(q) [Superseded by section 3 of Ex. Ord. No. 10752, Feb. 12, 1958, 23 F.R. 973, set out as a note under section 715j of title 15, Commerce and Trade].

(r) The authority vested in the President by section 55 of the act of April 30, 1900, 31 Stat. 150, as amended [former section 562 of title 48], and by section 4 of the act of August 24, 1954, 68 Stat. 785, as amended [former section 562o of title 48], to approve the issuance of bonds or other instruments of indebtedness by the Territory of Hawaii.

2. The Secretary of the Interior is hereby designated and empowered to perform, without the approval, ratification, or other action of the President, the following functions which have heretofore, under the respective provisions of law cited, required the approval, ratification, or other action of the President in connection with their performance by the Secretary of the Interior:

(a) The authority vested in the Secretary of the Interior by section 1 of the act of June 6, 1942, ch. 380, 56 Stat. 326 [section 459r of title 16], to convey or lease to the States or to the political subdivisions thereof any or all of certain recreational demonstration projects and lands and equipment comprised within such projects or any parts of such projects; and to transfer to other Federal agencies any of the said recreational demonstration areas that may be of use to such agencies.

(b) The authority vested in the Secretary of the Interior by section 3 of the act of July 3, 1918, ch. 128, 40 Stat. 755, as amended, and as affected by section 4(f) of Reorganization Plan No. II, effective July 1, 1939, 53 Stat. 1433 [section 704 of title 16], to promulgate regulations permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, or export of any migratory bird included in the terms of certain conventions, or any part, nest, or egg thereof.

3. As used in this order, the term "functions" embraces duties, powers, responsibilities, authority, or discretion, and the term "perform" may be construed to mean "exercise".

4. All actions heretofore taken by the President in respect of the matters affected by this order and in force at the time of the issuance of this order, including regulations prescribed by the President in respect of such matters, shall, except as they may be inconsistent with the provisions of this order, remain in effect until modified or revoked pursuant to the authority conferred by this order.

5. The Secretary of the Interior is hereby authorized to redelegate to the Under Secretary of the Interior any of the authority delegated to the Secretary of the Interior by section 1 of this order.

Ex. Ord. No. 10289. Delegation of Functions to Secretary of the Treasury

Ex. Ord. No. 10289, Sept. 17, 1951, 16 F.R. 9499, as amended by Ex. Ord. No. 10583, Dec. 18, 1954, 19 F.R. 8725; Ex. Ord. No. 10882, July 18, 1960, 25 F.R. 6869; Ex. Ord. No. 11110, June 4, 1963, 28 F.R. 5605; Ex. Ord. No. 11825, Dec. 31, 1974, 40 F.R. 1003, provided:

1. The Secretary of the Treasury is hereby designated and empowered to perform the following-described functions of the President without the approval, ratification, or other action of the President:

(a) The authority vested in the President by section 1 of the act of August 1, 1914, ch. 223, 38 Stat. 609, 623, as amended [section 2 of title 19], (1) to rearrange, by consolidation or otherwise, the several customs-collection districts, (2) to discontinue ports of entry by abolishing the same and establishing others in their stead, and (3) to change from time to time the location of the headquarters in any customs-collection district as the needs of the service may require.

(b) The authority vested in the President by section 1 of the Anti-Smuggling Act of August 5, 1935, c. 438, 49 Stat. 517 [section 1701 of title 19], (1) to find and declare that at any place or within any area on the high seas adjacent to but outside customs waters any vessel or vessels hover or are being kept off the coast of the United States and that, by virtue of the presence of any such vessel or vessels at such place or within such area, the unlawful introduction or removal into or from the United States of any merchandise or person is being, or may be, occasioned, promoted, or threatened, (2) to find and declare that certain waters on the high seas are in such proximity to such vessel or vessels that such unlawful introduction or removal of merchandise or persons may be carried on by or to or from such vessel or vessels, and (3) to find and declare that, within any customs-enforcement area, the circumstances no longer exist which gave rise to the declaration of such area as a customs-enforcement area.

(c) The authority vested in the President by section 2 of the act of August 18, 1914, c. 256, 38 Stat. 699 [section 82 of title 46], to suspend the provisions of law requiring survey, inspection, and measurement of foreign-built vessels admitted to American registry.

(d) The authority vested in the President by section 5 of the act of May 28, 1908, ch. 212, 35 Stat. 425, as amended [section 104 of title 46], to determine (as a

prerequisite to the extension of reciprocal privileges by the Commissioner of Customs) that yachts used and employed exclusively as pleasure vessels and belonging to any resident of the United States are allowed to arrive at and depart from any foreign port and to cruise in the waters of such port without entering or clearing at the custom-house thereof and without the payment of any charges for entering or clearing, dues, duty per ton, tonnage taxes, or charges for cruising licenses.

(e) The authority vested in the President by section 2 of the act of March 24, 1908, ch. 96, 35 Stat. 46 [section 134 of title 46], to name the hospital ships to which section 1 of the said act [section 133 of title 46], shall apply and to indicate the time when the exemptions thereby provided for shall begin and end.

(f) The authority vested in the President by section 4228 of the Revised Statutes, as amended (46 U.S.C. 141), (1) to declare that—upon satisfactory proof being given by the government of any foreign nation that no discriminating duties of tonnage or imports are imposed or levied in the ports of such nation upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures or merchandise imported in the same from the United States or from any foreign country—the foreign discriminating duties of tonnage and impost within the United States are suspended and discontinued, so far as respect the vessels of such foreign nation, and the produce, manufactures, or merchandise imported into the United States from such foreign nation, or from any other foreign country, and (2) to suspend in part the operation of section 4219 of the Revised Statutes, as amended (46 U.S.C. 121), and section IV, J, subsection 1 of the act of October 3, 1913, c. 16 38 Stat. 195, as amended (46 U.S.C. 146), so that foreign vessels from a country imposing partial discriminating tonnage duties upon American vessels, or partial discriminating import duties upon American merchandise, may enjoy in our ports the identical privileges which the same class of American vessels and merchandise may enjoy in such country: *Provided,* That prior to the issuance of an order of the Secretary of the Treasury suspending and discontinuing (wholly or in part) discriminating tonnage duties, imposts, and import duties within the United States, the Department of State shall obtain and furnish to the Secretary of the Treasury the proof required by the said sections 4228, as amended [section 141 of title 46], as the basis for that order.

(g) The authority vested in the President by section 3639 of the Revised Statutes, as amended [section 521 of title 31], to regulate and increase the sums for which bonds are, or may be, required by law, but only to the extent that such section affects collectors of customs, comptrollers of customs, and surveyors of customs (and the successors thereof under section 1 of the act of July 5, 1932, ch. 430, 47 Stat. 580, 584 [former section 5a of title 19]).

(h) The authority vested in the President by section 3650 of the Internal Revenue Code [section 3650 of title 26 (I.R.C. 1939) [now covered by section 7621 of title 26], to establish convenient collection districts (for the purpose of assessing, levying, and collecting the taxes provided by the internal revenue laws), and from time to time to alter such districts.

(i) The authority which is now vested in the President by section 2564(b) of the Internal Revenue Code [section 2564(b) of title 26 (I.R.C. 1939)], and which on and after January 1, 1955, will be vested in the President by section 4735(b) of the Internal Revenue Code of 1954 [former section 4735(b) of title 26 (I.R.C. 1954)], to issue, in accordance with the provisions of the said section 2564(b) or 4735(b), as the case may be, orders providing for the registration and the imposition of a special tax upon all persons in the Canal Zone who produce, import, compound, deal in, dispense, sell, distribute, or give away narcotic drugs.

(j) The authority vested in the President by paragraph (b) of section 43 of the Act of May 12, 1933, as amended (31 U.S.C. 821(b)), to issue silver certificates against any silver bullion, silver, or standard silver dollars in the Treasury not then held for redemption of any outstanding silver certificates, to prescribe the denominations of such silver certificates, and to coin standard silver dollars and subsidiary silver currency for their redemption.

2. The Secretary of the Treasury is hereby designated and empowered to perform without the approval, ratification, or other action of the President the following functions which have heretofore, under the respective provisions of law cited, required the approval of the President in connection with their performance by the Secretary of the Treasury:

(a) The authority vested in the Secretary of the Treasury by section 6 of the act of July 8, 1937, ch. 444, 50 Stat. 480 [section 728 of title 40], to make rules and regulations necessary for the execution of the functions vested in the Secretary of the Treasury by the said act, as amended.

(b), (c) [Revoked by Ex. Ord. No. 11110.]

(d) [Revoked by Ex. Ord. No. 11825, Dec. 31, 1974, 40 F.R. 1003.]

(e) The authority vested in the Secretary of the Treasury by section 1 of Title II of the act of June 15, 1917, ch. 30, 40 Stat. 220 [section 191 of title 50], to make rules and regulations governing the anchorage and movement of any vessel, foreign or domestic, in the territorial waters of the United States, exclusive of the territory and waters of the Canal Zone.

(f) The authority vested in the Secretary of the Treasury by section 6 of the act of June 19, 1934, ch. 674, 48 Stat. 1178 [former section 316b of title 31], to investigate, regulate, or prohibit, by means of licenses or otherwise, the acquisition, importation, exportation, or transportation of silver and of contracts and other arrangements made with respect thereto, and to require the filing of reports in connection therewith.

3. (a) The Secretary of the Treasury and the Postmaster General are hereby designated and empowered jointly to prescribe without the approval of the President regulations, under section 1 of the act of July 8, 1937, ch. 444, 50 Stat. 479 [section 721 of title 40], governing the shipment of valuables by the executive departments, independent establishments, agencies, wholly-owned corporations, officers, and employees of the United States.

(b) The Postmaster General is hereby designated and empowered to exercise without the approval, ratification, or other action of the President the authority vested in the President by section 504(b) of Title 18 of the United States Code to approve regulations issued by the Secretary of the Treasury under the authority of the said section 504 (b) (relating to the printing, publishing, or importation, or the making or importation of the necessary plates for such printing or publishing, of postage stamps for philatelic purposes) [now covered by section 504(2) of title 18], and to approve any amendment or repeal of any of such regulations by the Secretary of the Treasury.

4. As used in this order, the term "functions" embraces duties, powers, responsibilities, authority, or discretion, and the term "perform" may be construed to mean "exercise".

5. All actions heretofore taken by the President in respect of the matters affected by this order and in force at the time of the issuance of this order, including regulations prescribed by the President in respect of such matters, shall, except as they may be inconsistent with the provisions of this order, remain in effect until amended, modified, or revoked pursuant to the authority conferred by this order.

Ex. Ord. No. 10530. Delegation of Miscellaneous Functions

Ex. Ord. No. 10530, May 10, 1954, 19 F.R. 2709, as amended by Ex. Ord. No. 10573, Oct. 26, 1954, 19 F.R. 6899; Ex. Ord. No. 10682, Oct. 22, 1956, 21 F.R. 8129; Ex. Ord. No. 10759, March 17, 1958, 23 F.R. 1803; Ex. Ord. No. 10790, Nov. 20, 1958, 23 F.R. 9051; Ex. Ord. No. 10836, Sept. 8, 1959, 24 F.R. 7269; Ex. Ord. No. 10852, Nov. 27, 1959, 24 F.R. 9565; Ex. Ord. No. 10889, Oct. 5, 1960, 25 F.R. 9633; Ex. Ord. No. 10903, Jan. 9,

1961, 26 F.R. 217; Ex. Ord. No. 10960, Aug. 21, 1961, 26 F.R. 7823; Ex. Ord. No. 10970, Oct. 27, 1961, 26 F.R. 10149; Ex. Ord. No. 11012, Mar. 27, 1962, 27 F.R. 2983; Ex. Ord. No. 11116, Aug. 5, 1963, 28 F.R. 8075; Ex. Ord. No. 11164, Aug. 1, 1964, 29 F.R. 11257; Ex. Ord. No. 11184, Oct. 13, 1964, 29 F.R. 14155; Ex. Ord. No. 11196, Feb. 2, 1965, 30 F.R. 1171; Ex. Ord. No. 11222, May 8, 1965, 30 F.R. 6469; Ex. Ord. No. 11228, June 14, 1965, 30 F.R. 7739; Ex. Ord. No. 11230, § 2(1), (3), (5) to (14), June 28, 1965, 30 F.R. 8447, provided:

PART I—DIRECTOR OF THE BUREAU OF THE BUDGET

[Superseded by Ex. Ord. No. 11230, § 2(1), (3), (5) to (14), June 28, 1965, 30 F.R. 8447]

PART II—THE UNITED STATES CIVIL SERVICE COMMISSION

[Superseded by Ex. Ord. No. 11228, § 3(1), (2), (5), June 14, 1965, 30 F.R. 7739]

PART III—THE HOUSING AND HOME FINANCE ADMINISTRATOR

[Superseded by Ex. Ord. No. 11196, Feb. 2, 1965, 30 F.R. 1171]

PART IV

THE FEDERAL COMMUNICATIONS COMMISSION

SEC. 5. (a) The Federal Communications Commission is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, all authority vested in the President by the act of May 27, 1921, ch. 12, 42 Stat. 8 [sections 34 to 39 of title 47], including the authority to issue, withhold, or revoke licenses to land or operate submarine cables in the United States: *Provided*, That no such license shall be granted or revoked by the Commission except after obtaining approval of the Secretary of State and such advice from any executive department or establishment of the Government as the Commission may deem necessary. The Commission is authorized and directed to receive all applications for the said licenses.

(b) Executive Order No. 3513 of July 9, 1921, as amended by Executive Order No. 6779 of June 30, 1934, is hereby revoked.

PART V

THE ATTORNEY GENERAL AND THE ADMINISTRATOR OF GENERAL SERVICES

SEC. 6. The Attorney General and the Administrator of General Services are hereby designated and empowered jointly to perform the following-described functions without the approval, ratification, or other action of the President:

(a) The authority vested in the President by section 5(a) of the act of July 26, 1935, ch. 417, 49 Stat. 501, [now covered by section 1505(a) of title 44], to determine from time to time the documents or classes of documents having general applicability and legal effect

(b) The authority vested in the President by sections 6, 11(a), and 11(f) of said act, as amended [now covered by sections 1506 and 1510(a), (f) of title 44], to approve (or disapprove), respectively, (1) regulations, prescribed by the Administrative Committee of the Federal Register, for carrying out the provisions of that act (including the regulations referred to in section 5(b) of the act [now covered by section 1505(b) of title 44], authorizing publication in the Federal Register of certain documents or classes of documents), (2) actions of the Administrative Committee of the Federal Register requiring, from time to time, the preparation and publication in special or supplemental editions of the Federal Register of complete codifications of the documents, described in the said section 11(a) [now covered by section 1510(a) of title 44], of each agency of the Government, and (3) regulations, prescribed by the Administrative Committee of the Federal Register, for carrying out the provisions of section 11 of the said act [now covered by section 1510 of title 44], as amended.

PART VI

GENERAL PROVISIONS

SEC. 7. All actions heretofore taken by the President in respect of the matters affected by this order and in force at the time of the issuance of this order, including any regulations prescribed or approved by the President in respect of such matters, shall, except as they may be inconsistent with the provisions of this order, remain in effect until amended, modified, or revoked pursuant to the authority conferred by this order.

SEC. 8. As used in this order, the term "functions" embraces duties, powers, responsibilities, authority, or discretion, and the term "perform" may be construed to mean "exercise."

EX. ORD. NO. 10621. DELEGATION OF FUNCTIONS TO SECRETARY OF DEFENSE

Ex. Ord. No. 10621, July 1, 1955, 20 F.R. 4759, as amended by Ex. Ord. No. 11294, Aug. 4, 1966, 31 F.R. 10601, provided:

SECTION 1. The Secretary of Defense, and, as designated by the said Secretary for this purpose, any of the Secretaries, Under Secretaries, and Assistant Secretaries of the military departments, are hereby designated and empowered to perform the following-described functions of the President without the approval, ratification, or other action of the President:

(a) The authority vested in the President by the act of March 3, 1901, ch. 852, 31 Stat. 1107, 1133 [see former section 5941 and section 7291 of title 10], to establish and modify, as the needs of the service may require, a classification of vessels of the Navy, and to formulate appropriate rules governing assignments to command of vessels and squadrons.

(b) The authority vested in the President by the act of August 22, 1912, ch. 335, 37 Stat. 382, 331 [see sections 509 and 1171 of title 10], to approve regulations of the Secretary of the Navy under which any enlisted man may be discharged within three months before the expiration of the term of his enlistment, and under which an enlisted man may voluntarily extend the term of his enlistment.

(c) The authority vested in the President by the act of May 22, 1928, ch. 688, 45 Stat. 712 [now covered by section 6152 of title 10], to approve regulations governing the advancement of public funds to naval personnel when required to meet expenses of officers and men detailed on emergency shore duty.

(d) The authority vested in the President by the act of June 22, 1938, ch. 567, 52 Stat. 839, as amended [now covered by sections 5083, 5133, 5148, and 5201 of title 10], section 201(a) of the act of August 25, 1941, ch. 409, 55 Stat. 680 [now covered by sections 5063 and 5064 of title 10], section 3 of the act of December 28, 1945, ch. 604, 59 Stat. 666, as amended [now covered by section 5138 of title 10], section 2 of the act of August 1, 1946, ch. 727, 60 Stat. 779 [now covered by section 5150 of title 10], and section 7(a) of the act of March 5, 1948, ch. 98, 62 Stat. 68 [see Department of Defense Reorganization Order set out as a note under former section 5111 of title 10], to authorize, in his discretion, for any officer of the Regular Navy or Marine Corps who retires while serving as Chief of Naval Operations, as Chief of a Bureau of the Navy Department, as Judge Advocate General of the Navy, as Commandant of the Marine Corps, as Director of Budgets and Reports, as Chief of the Dental Division, as Chief of Naval Research, or as Chief of Naval Material, or while serving in a lower rank if he has previously served in any of such offices two and one-half years or more, retirement in the highest grade or rank in which he so served and with retired pay based on that rank.

(e) The authority vested in the President by the act of June 15, 1940, ch. 374, 54 Stat. 400, to prescribe

from time to time the number of warrant and commissioned warrant officers for the Marine Corps.

(f) The authority vested in the President by the act of June 24, 1941, ch. 231, 55 Stat. 260 [now covered by section 7306 of title 10], to approve the use for experimental purposes of vessels of the United States Navy stricken from the Navy Register pursuant to the act of August 5, 1882, 22 Stat. 296, as amended [now covered by section 7304 of title 10].

(g) The authority vested in the President by section 5 of the act of July 24, 1941, ch. 320, 55 Stat. 604, as amended (34 U.S.C. 350d(a)) [see section 5787 of title 10], to determine the numbers of temporary appointments which may be made under that act and to prescribe the manner of making the appointments and the regulations under which they may be made.

(h) The authority vested in the President by the act of June 5, 1942, ch. 329, 56 Stat. 309 [see former section 5205 of title 10], to authorize, in his discretion, for any officer of the Marine Corps who retires while serving as head of a staff department of the Marine Corps, or who has so served two and one-half years or more and retires while serving in a lower grade or rank, retirement in the highest grade or rank held by him while serving as head of such staff department with retired pay based on such higher grade or rank.

(i) The authority vested in the President by section 302 of the act of June 22, 1944, ch. 268, 58 Stat. 287 [see section 1554 of title 10], to approve or disapprove the proceedings and decisions of boards of review established under that section by the Secretary of the Army, the Secretary of the Air Force, or the Secretary of the Navy, and to issue orders in such cases.

(j) The authority vested in the President by section 6 of the act of February 21, 1946, ch. 34, 60 Stat. 27 [now covered by section 6323 of title 10], to approve, in his discretion, the application of an officer of the Regular Navy or Regular Marine Corps or of the Reserve Components thereof for retirement after the completion of more than twenty years of active service, and to designate the month in which such retirement shall become effective.

(k) The authority vested in the President by section 9 of the act of February 21, 1946, ch. 34, 60 Stat. 28 [now covered by sections 6390 and 6404 of title 10], to defer, in his discretion, placing on the retired list, in accordance with the provisions of the said section, any officer of the Regular Navy or Marine Corps serving in a rank below that of fleet admiral who becomes sixty-two years of age.

(*l*) The authority vested in the President by subsection (c) of section 207(c) by the act of April 16, 1947, ch. 38, 61 Stat. 49, redesignated as subsection (b) by section 434 (d) of the Officer Personnel Act of 1947, 61 Stat. 882 [now covered by section 5140 of title 10], to authorize, in his discretion, for any officer of the Navy Nurse Corps who retires while serving as Director of the Navy Nurse Corps, or while serving in a lower rank if she has previously served two and one-half years or more as Director, retirement in the rank held by her as Director.

(m) The authority vested in the President by section 302(g) of the Officer Personnel Act of 1947, ch. 512, 61 Stat. 830 [now covered by section 5596 of title 10], to determine the numbers of temporary appointments which may be made under section 302(c) of that act [now covered by section 5596 of title 10].

(n) The authority vested in the President by sections 207(d) and 213(d) of the act of June 12, 1948, ch. 449, 62 Stat. 367, 370 [now covered by sections 5143 and 5206 of title 10], to authorize, in his discretion, for any woman officer of the Regular Navy who retires while serving as an assistant to the Chief of Naval Personnel or while serving in a lower rank if she has previously served two and one-half years or more as such assistant, or for any woman officer of the Regular Marine Corps who retires while detailed to duty in the office of the Commandant of the Marine Corps to assist the Commandant in the administration of women's affairs or while serving in a lower rank if she has previously served two and one-half years or more in that detail, retirement in the rank held while serving as an assistant to the Chief of Naval Personnel or while so detailed to duty in the office of the Commandant of the Marine Corps.

(o) The authority vested in the President by section 3 of the Travel Expense Act of 1949, 63 Stat. 166, as amended (5 U.S.C. 836) [now covered by sections 2105, 5701, 5702, and 5707 of title 5], to establish maximum rates of per diem allowances for civilian officers and employees of the Government to the extent that such authority pertains to travel status in localities in Alaska, Hawaii, the Commonwealth of Puerto Rico, the Canal Zone, and possessions of the United States.

SEC. 2. The Secretary of Defense, and, as designated by the said Secretary for this purpose, the Deputy Secretary of Defense and any of the Assistant Secretaries of Defense, are hereby designated and empowered to perform the following-described functions of the President without the approval, ratification, or other action of the President:

(a) The authority vested in the President by section 1547 of the Revised Statutes of the United States [now covered by section 6011 of title 10], to approve alterations made by the Secretary of the Navy in Navy Regulations.

(b) The authority vested in the President by section 1 of the act of April 9, 1906, ch. 1370, 34 Stat. 104 [now covered by section 6961 of title 10], to approve the dismissal by the Secretary of the Navy of a midshipman from the United States Naval Academy.

SEC. 3. All actions heretofore taken by the President with respect to the matters affected by this order and in force and effect at the time of the issuance of this order, including any regulations prescribed or approved by the President with respect to such matters, shall, except as they may be inconsistent with the provisions of this order, remain in force and effect until amended, modified, or revoked pursuant to the authority conferred by this order.

SEC. 4. As used in this order, the term "functions" includes duties, powers, responsibilities, authority, and discretion, and the term "perform" may be construed to mean "exercise".

DWIGHT D. EISENHOWER.

EX. ORD. NO. 10637. DELEGATION OF FUNCTIONS TO SECRETARY OF THE TREASURY

Ex. Ord. No. 10637, Sept. 16, 1955, 20 F.R. 7025, provided:

SECTION 1. The Secretary of the Treasury is hereby designated and empowered to perform the following-described functions without the approval, ratification, or other action of the President:

(a) The authority vested in the President by section 149 of title 14 of the United States Code, in his discretion, to detail officers and enlisted men of the Coast Guard to assist foreign governments in matters concerning which the Coast Guard may be of assistance.

(b) The authority vested in the President by section 229 of title 14 of the United States Code [see section 281 et seq. of title 14], to revoke the commission of any officer on the active list of the Coast Guard who, at the date of such revocation, has had less than three years of continuous service as a commissioned officer in the Coast Guard, and to prescribe regulations relating to such revocations.

(c) The authority vested in the President by section 232 of title 14 of the United States Code [now covered by section 291 of title 14], in his discretion, to retire from active service any commissioned officer of the Coast Guard, upon his own application, who has completed twenty years of active service in the Coast Guard, Navy, Army, Air Force, or Marine Corps, or the Reserve Components thereof.

(d) The authority vested in the President by section 235 of title 14 of the United States Code [see section 251 et seq. of title 14], to retire, to approve the retirement of, to place out of line of promotion, and to approve the placing out of line of promotion of, officers of the Coast Guard.

(e) The authority vested in the President by section 492 of title 14 of the United States Code to present a distinguished service medal (including incidental items) to any person who, while serving in any capacity with the Coast Guard, distinguishes himself by exceptionally meritorious service to the Government in a duty of great responsibility.

(f) The authority vested in the President by section 493 of title 14 of the United States Code to present the Coast Guard medal (including incidental items) to any person who, while serving in any capacity with the Coast Guard, distinguishes himself by heroism not involving actual conflict with an enemy.

(g) The authority vested in the President by section 494 of title 14 of the United States Code to award emblems, insignia, rosettes, and other devices, to the extent that such authority relates to the awarding of such items to be worn with the distinguished service medal or the Coast Guard medal.

(h) The authority vested in the President by section 498 of title 14 of the United States Code to make posthumous awards of decorations and to designate representatives to receive such awards, to the extent that such authority relates to the awarding of the distinguished service medal or the Coast Guard medal, or ribbons, emblems, insignia, rosettes, or other devices corresponding thereto.

(i) The authority vested in the President by section 499 of title 14 of the United States Code to make rules, regulations, and orders to the extent that they shall relate to the authority described in sections 1 (f), 1 (g), and 1 (h) above.

(j) The authority vested in the President by the first paragraph of section 806 of the act of September 8, 1916, ch. 463, 39 Stat. 799 [section 77 of title 15], to direct the detention of any vessel, American or foreign, by withholding clearance or by formal notice forbidding departure; but such authority shall be exercised by the Secretary of the Treasury only upon a finding by the President that there is reasonable ground to believe that the vessel concerned is making or giving undue or unreasonable preference or advantage to any party, or is subjecting any party to undue or unreasonable prejudice, disadvantage, injury, or discrimination, as described in the said paragraph; and the authority so vested to revoke, modify, or renew any such direction.

(k) The authority vested in the President by the second paragraph of the said section 806 of the act of September 8, 1916 [section 77 of title 15], to withhold clearance from one or more vessels of a belligerent country or government until such belligerent shall restore to American vessels and American citizens reciprocal liberty of commerce and equal facilities for trade, and the authority to direct that similar privileges and facilities, if any, enjoyed by vessels and citizens of such belligerent in the United States or its possessions be refused to vessels or citizens of such belligerent; but such authority shall not, in either instance, be exercised by the Secretary of the Treasury with respect to any vessel or citizen of such belligerent unless and until the President proclaims that the belligerent nation concerned is denying privileges and facilities to American vessels as described in the said paragraph.

(*l*) The authority vested in the President by section 963 (a) of title 18 of the United States Code to detain, in accordance with the provisions of such section, any armed vessel, or any vessel, domestic or foreign (other than one which has entered the ports of the United States as a public vessel), which is manifestly built for warlike purposes or has been converted or adapted from a private vessel to one suitable for warlike use, and to determine, in each case, whether the proof required by such section is satisfactory.

(m) The authority vested in the President by section 967 (a) of title 18 of the United States Code, during a war in which the United States is a neutral nation, to withhold clearance from or to any vessel, domestic or foreign, or, by service of formal notice upon the owner, master, or person in command or in charge of any domestic vessel not required to secure clearances, and to forbid its departure from port or from the United States, whenever there is reasonable cause to believe that such vessel is about to carry fuel, arms, ammunition, men, supplies, dispatches, or information to any warship, tender, or supply ship of a foreign belligerent nation in violation of the laws, treaties, or obligations of the United States under the law of nations.

(n) The authority vested in the President by section 10(a) of the act of November 4, 1939, ch. 2, 54 Stat. 9 [section 450(a) of title 22], to require the owner, master, or person in command of a vessel to give a bond to the United States, as prescribed by the said section 10(a).

(o) The authority vested in the President by section 10 (b) of the act of November 4, 1939, ch. 2, 54 Stat. 9 [section 450 (b) of title 22], to prohibit the departure of a vessel from a port of the United States, in accordance with the provisions of the said section 10 (b).

(p) The authority vested in the President by section 2 of the act of August 18, 1914, ch. 256, 38 Stat. 699 [section 236 of title 46], to suspend, in his discretion, by order, so far and for such length of time as he may deem desirable, the provisions of law prescribing that all watch officers of vessels of the United States registered for foreign trade shall be citizens of the United States.

(q) The authority vested in the President by section 2 of the act of October 17, 1940, ch. 896, 54 Stat. 1201 [section 643b of title 46], to extend, whenever in his judgment the national interest requires, the provisions of subsection (b) of section 4551, Revised Statutes, as amended [section 643(b) of title 46], to such additional class or classes of vessels and to such waters as he may designate.

(r) The authority vested in the Secretary of the Treasury by the first paragraph of section 1 of Title II of the act of June 15, 1917, ch. 30, 40 Stat. 220, as amended [section 191 of title 50], during a national emergency proclaimed as provided in the said paragraph, (1) to make rules and regulations governing the anchorage and movement of any vessel, foreign or domestic, in the territorial waters of the United States, and (2) to take full possession and control of such vessel for the purposes set forth in the said paragraph.

(s) The authority vested in the President by section 6 of the act of July 24, 1941, ch. 320, 55 Stat. 604, as amended [see note set out under section 5501 of title 10], to make appointments of officers below flag rank without the advice and consent of the Senate, to the extent that such authority relates, pursuant to section 11(b) of the said act, as amended [see sections 214 and 275 of title 14], to officers of the United States Coast Guard.

SEC. 2. The Secretary of the Treasury is hereby designated and empowered to perform without the approval, ratification, or other action of the President the following described functions to the extent that they relate to the United States Coast Guard:

(a) The authority vested in the President by Article 4(a) of the Uniform Code of Military Justice (section 1 of the act of May 5, 1950, ch. 169, 64 Stat. 110) [now covered by section 804 of title 10], to convene a general court-martial to try any dismissed officer, upon application by the officer concerned for trial by court-martial.

(b) The authority vested in the President by Articles 4(c) and 75 of the Uniform Code of Military Justice (64 Stat. 110, 132) [now covered by sections 804 and 875 of title 10], to reappoint a discharged officer to such commissioned rank and precedence as the former officer would have attained had he not been dismissed, and to direct the extent to which any such reappointment shall affect the promotion status of other officers.

(c) The authority vested in the President by section 10 of the act of May 5, 1950, ch. 169, 64 Stat. 146 [now covered by sections 1161 and 6408 of title 10], to drop from the rolls any officer who has been absent without authority from his place of duty for a period of three months or more, or who, having been found

guilty by the civil authorities of any offense, is finally sentenced to confinement in a Federal or State penitentiary or correctional institution.

(d) The authority vested in the President by section 219 of the Armed Forces Reserve Act, approved July 9, 1952 (66 Stat. 487) [now covered by section 593 of title 10], to make appointments of Reserves in commissioned grades below flag officer grades.

(e) The authority vested in the President by section 221 of the said Armed Forces Reserve Act [now covered by section 593 of title 10], to determine the tenure in office of commissioned officers of the reserve.

(f) The authority vested in the President by section 248 of the said Armed Forces Reserve Act [now covered by section 1162 of title 10], to effect the discharge of commissioned officers of the reserve.

(g) The authority vested in the President by section 6 of the act of February 21, 1946, ch. 34, 60 Stat. 27 [now covered by section 6323 of title 10], as made applicable to the Coast Guard Reserve by section 755(a) of Title 14 of the United States Code, in his discretion, to place upon the retired list any officer of the Coast Guard Reserve, upon his own application, who has completed more than twenty years of active service as described in the said section 6.

SEC. 3. All actions heretofore taken by the President with respect to the matters affected by this order and in force at the time of issuance of this order, including any regulations prescribed or approved by the President with respect to such matters, shall, except as they may be inconsistent with the provisions of this order, remain in effect until amended, modified, or revoked pursuant to the authority conferred by this order.

SEC. 4. As used in this order, the term "functions" embraces duties, powers, responsibilities, authority, or discretion, and the term "perform" may be construed to mean "exercise".

SEC. 5. Whenever the entire Coast Guard operates as a service in the Navy, the references to the Secretary of the Treasury in the introductory portions of sections 1 and 2 of this order shall be deemed to be references to the Secretary of the Navy.

DWIGHT D. EISENHOWER.

EX. ORD. NO. 10661. DELEGATION OF FUNCTIONS TO SECRETARY OF DEFENSE AND SECRETARY OF COMMERCE

Ex. Ord. No. 10661, Feb. 27, 1956, 21 F.R. 1315, provided:

SECTION 1. The Secretary of Defense, and, when designated by the Secretary of Defense for such purpose, the Secretary of the Army are hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the authority vested in the President by the first section of the act of June 26, 1946, ch. 493, 60 Stat. 311, as amended [now covered by section 4344 and 9344 of title 10], to designate persons from the American Republics (other than the United States) and Canada who may be permitted to receive instruction at the United States Military Academy at West Point, New York.

SEC. 2. The Secretary of Defense, and, when designated by the Secretary of Defense for such purpose, the Secretary of the Navy are hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the following-described authority to designate persons who may be permitted to receive instruction at the United States Naval Academy at Annapolis, Maryland:

(a) The authority vested in the President by the act of July 14, 1941, ch. 292, 55 Stat. 589, as amended [now covered by section 6957 of title 10], with respect to persons from the American Republics (other than the United States) and Canada.

(b) The authority vested in the President by the act of June 24, 1948, ch. 616, 62 Stat. 583 [now covered by section 6957 of title 10], with respect to Filipinos.

SEC. 3. The Secretary of Defense, and, when designated by the Secretary of Defense for such purpose, the Secretary of the Air Force are hereby designated and empowered to exercise, without the approval ratification, or other action of the President, the authority vested in the President by the first section of the said act of June 26, 1946, as made applicable to the United States Air Force Academy by section 5 of the act of April 1, 1954, ch. 127, 68 Stat. 48 [now covered by section 9344 of title 10], to designate persons from the American Republics (other than the United States) and Canada who may be permitted to receive instruction at the United States Air Force Academy.

SEC. 4. The Secretary of Commerce is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the authority vested in the President by the act of August 9, 1946, ch. 928, 60 Stat. 961 [now covered by section 1126b of title 46], to designate persons from the American Republics (other than the United States) who may be permitted to receive instruction in the United States Merchant Marine Cadet Corps and at the United States Merchant Marine Academy at Kings Point, New York.

SEC. 5. No person shall be designated under the authority of this order to receive instruction except after consultation by the designating officer with the Secretary of State.

DWIGHT D. EISENHOWER.

EX. ORD. NO. 10950. DELEGATION OF FUNCTIONS TO SECRETARY OF THE INTERIOR

Ex. Ord. No. 10950, June 27, 1961, 26 F.R. 5787, provided:

By virtue of the authority vested in me by section 6(b) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339) [set out as a note preceding former section 21 of Title 48, Territories and Insular Possessions], and as President of the United States, I hereby designate the Secretary of the Interior as my representative to exercise the authority vested in me by section 6(b) of the act to approve selections of land made by the State of Alaska under the provisions of section 6(b) in instances in which those selections include land lying north and west of the line described in section 10(b) of the act: *Provided*, That no selection by the State shall be approved pursuant to this order, in whole or in part, without the concurrence of the Secretary of Defense or his designated representative.

As the Secretary of the Interior may direct, the Under Secretary of the Interior, an Assistant Secretary of the Interior, the Director of the Bureau of Land Management, or the Operations Supervisors of the Bureau of Land Management in Alaska are severally authorized to exercise the authority vested in the Secretary by this order.

JOHN F. KENNEDY.

EX. ORD. NO. 11012. DELEGATION OF FUNCTIONS TO ADMINISTRATOR OF GENERAL SERVICES

Ex. Ord. No. 11012, Mar. 27, 1962, 27 F.R. 2983, as amended by Ex. Ord. No. 11230, § 2(11), June 28, 1965, 30 F.R. 8447, provided:

By virtue of the authority vested in me by Section 301 of Title 3 of the United States Code [this section], and as President of the United States, it is hereby ordered as follows:

SECTION 1. [Superseded by Ex. Ord. No. 11230, § 2(11), June 28, 1965, 30 F.R. 8447]

SEC. 2. The Administrator of General Services is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, so much of the authority vested in the President by Section 1(b) of the Act of August 2, 1946, ch. 744, 60 Stat. 807 (5 U.S.C. 73b-1(b)) [now covered by section 5724 of title 5], as pertains to the establishment of the rates to be used in reimbursing civilian officers or employees of the Government on a commuted basis in lieu of the payment of actual expenses of transportation, packing, crating, temporary storage, drayage, and unpacking of their household goods and personal effects in the case of transfers from one official sta-

tion to another within the continental United States for permanent duty.

SEC. 3. The initial regulations to be issued by the Director of the Bureau of the Budget and by the Administrator of General Services under the authority delegated to each of them by this order shall be effective on the same date and effective as of that date the following-described Executive orders are revoked:

(a) Executive Order No. 9778 of September 10, 1946.
(b) Executive Order No. 9805 of November 25, 1946.
(c) Executive Order No. 9933 of February 27, 1948.
(d) Executive Order No. 9997 of September 8, 1948.
(e) Executive Order No. 10069 of July 14, 1949.
(f) Executive Order No. 10177 of October 27, 1950.
(g) Executive Order No. 10196 of December 20, 1950.
(h) Executive Order No. 10274 of July 18, 1951.
(i) Executive Order No. 10381 of August 6, 1952.
(j) Executive Order No. 10507 of December 10, 1953.

SEC. 4. Existing regulations prescribed by the Director of the Bureau of the Budget under the authority of Section 1(b) of Executive Order No. 10530, as amended and in effect immediately prior to the issuance of this order, shall remain in effect until they are superseded in pursuance of the provisions of this order.

JOHN F. KENNEDY.

EX. ORD. NO. 11023. DELEGATION OF FUNCTIONS TO SECRETARY OF COMMERCE

Ex. Ord. No. 11023, May 28, 1962, 27 F.R. 5131, provided:

By virtue of the authority vested in me by section 301 of title 3, of the United States Code [this section], and as President of the United States, it is ordered as follows:

SECTION 1. The Secretary of Commerce is hereby designated and empowered to perform the following-described functions without the approval, ratification, or other action of the President:

(a) The authority contained in section 6(b) of the Coast and Geodetic Survey Commissioned Officers Act of 1948 (62 Stat. 298; 33 U.S.C. 853e(b)) to revoke the commissions of ensigns of the Coast and Geodetic Survey who are found not fully qualified and to separate such ensigns from the commissioned service.

(b) The authority vested in the President by section 12(a) of the Coast and Geodetic Survey Commissioned Officers Act of 1948, as amended (75 Stat. 506; 33 U.S.C. 853j–1(a)), to make temporary appointments in the grade of ensign in the Coast and Geodetic Survey.

(c) The authority vested in the President by section 12(b) of the Coast and Geodetic Survey Commissioned Officers Act of 1948, as amended (75 Stat. 506; 33 U.S.C. 853j–(b)), to temporarily promote officers in the permanent grade of ensign in the Coast and Geodetic Survey, and to appoint such officers to the grade of lieutenant junior grade whenever vacancies exist in higher grades.

(d) The authority vested in the President by section 12 (c) of the Coast and Geodetic Survey Commissioned Officers Act of 1948, as amended (75 Stat. 506; 33 U.S.C. 853j–1(c)), to temporarily promote any officer one grade.

(e) The authority vested in the President by section 13(b) of the Coast and Geodetic Survey Commissioned Officers Act of 1948, as amended (75 Stat. 506; 33 U.S.C. 853k(b)), to defer the retirement of an officer of the Coast and Geodetic Survey serving in a rank above that of captain who has attained the age of sixty-two years.

(f) The authority vested in the President by section 14 of the Coast and Geodetic Survey Commissioned Officers Act of 1948, as amended (75 Stat. 506; 33 U.S.C. 853l), to retire from the active service any commissioned officer of the Coast and Geodetic Survey, upon his own application, who has completed twenty years of active service in the Coast and Geodetic Survey.

(g) The authority vested in the President by section 23(a) of the Coast and Geodetic Survey Commissioned Officers Act of 1948, as amended (75 Stat. 506; 33 U.S.C. 853t(a)), (1) to find that any officer appointed under section 23 is not qualified for service, (2) to revoke the commissions of officers in respect of whom such findings are made, and (3) to prescribe the regulations referred to in that section.

(h) The authority contained in section 1(1) of the Act of December 3, 1942 (56 Stat. 1038; 33 U.S.C. 854a–1(1)) to temporarily promote to higher ranks or grades, upon recommendation of the Secretary of the military department concerned, commissioned officers of the Coast and Geodetic Survey transferred to the military departments.

(i) The authority contained in section 1(2) of the Act of December 3, 1942 (56 Stat. 1038; 33 U.S.C. 854a–1(2)) to temporarily promote commissioned officers of the Coast and Geodetic Survey to fill vacancies in ranks and grades caused by transfer of commissioned officers to the service and jurisdiction of the military departments.

(j) The authority contained in section 1(3) of the Act of December 3, 1942 (56 Stat. 1038; 33 U.S.C. 854a–1(3)) to temporarily appoint deck officers and junior engineers to the grade of ensign to fill vacancies caused by transfer of officers to the military departments.

(k) The authority vested in the President by section 16 of the Act of May 22, 1917 (40 Stat. 87; 33 U.S.C. 855), to transfer to service and jurisdiction of the Department of Defense, as he may deem to be to the best interest of the country, vessels, equipment, stations, and personnel of the Coast and Geodetic Survey; but the Secretary of Commerce may effect such transfers only during the existence of a state of national emergency proclaimed by President. Commissioned officers so transferred shall serve under their commissions in the Coast and Geodetic Survey and while so serving shall constitute a part of the active armed forces of the United States and shall be under the direct orders of, and shall be subject to the applicable laws, regulations, and orders for the government of, the armed forces to which they are transferred, respectively. The Secretary of Commerce may return such vessels, equipment, stations, and personnel to the jurisdiction of the Department of Commerce, but in time of national emergency such return shall be effected only with the concurrence of the Secretary of Defense.

(*l*) The authority vested in the President by section 8 of the Act of August 6, 1947 (61 Stat. 788; 33 U.S.C. 883h) to employ public vessels, and to give instructions for regulating their conduct, to carry out the provisions of the Act of August 6, 1947; but the employment by the Secretary of Commerce of vessels, except those of the Department of Commerce or of any subordinate entity thereof, shall require the concurrence of the head of the department or other executive agency having custody or control of the vessel.

SEC. 2. Upon receipt by the Secretary of Commerce from the President or from the President's representative of information showing that the Senate has confirmed nominees of the President for appointment as commissioned officers of the Coast and Geodetic Survey, and without any further action on the part of the President, (1) the Secretary of Commerce or an officer of the Department of Commerce designated by the Secretary may, upon completion of statutory requirements for such appointments, tender offers of appointment to the nominees and upon acceptance such persons shall be deemed to be appointed accordingly, (2) the Secretary of Commerce, in the name of the President, shall issue to each such person a commission evidencing the appointment of such persons accordingly, and (3) the commissions of such persons shall be deemed to have been signed by the President. The effective date specified in any commission so issued shall be deemed, for all purposes, to be the date of the appointment evidenced by such commission.

SEC. 3. In connection with making appointments or promotions under authority delegated to him by subsections (b), (c), (d), (h), (i), and (j) of section 1 of this order, the Secretary of Commerce shall issue to each person appointed or promoted by him thereunder a

certificate evidencing the appointment or promotion of such person. Such certificate may be issued in the name of the President.

SEC. 4. Any requirement of any provision of law that commissions of officers under the direction and control of the Secretary of Commerce be signed by the President before the seal of the Department of Commerce may be affixed thereto shall, in the case of officers appointed under the procedure set forth in section 2 of this order and in the case of officers appointed or promoted under authority delegated by subsections (b), (c), (d), (h), (i), and (j) of section 1 of this order, be deemed to be satisfied by signature of the commission or certificate by the Secretary of Commerce, before the departmental seal is affixed thereto.

SEC. 5. The Secretary of Commerce is hereby authorized to accept, in the name of the President, the resignation of a commissioned officer, either permanent or temporary, of the Coast and Geodetic Survey.

SEC. 6. The authority delegated by the provisions of subsections (b), (c), (d), (h), (i), and (j) of section 1 of this order shall be deemed to include the authority to terminate any appointment or promotion made under the provisions of law referred to in those subsections.

SEC. 7. All actions heretofore taken by the President with respect to the matters affected by this order and in force at the time of issuance of this order, including any regulations prescribed or approved by the President with respect to such matters shall, except as they may be inconsistent with the provisions of this order, remain in effect until amended, modified or revoked pursuant to the authority conferred by this order. The following are hereby superseded: (1) Letter of the President to the Secretary of Commerce, dated April 23, 1929, and relating to the general subject of section 2 of this order, and (2) letter of the Secretary to the President, dated July 1, 1919, and directed to the Secretary of Commerce, relating to the general subject of section 5 of this order.

SEC. 8. As used in this order the term "functions" embraces duties, powers, responsibilities, authority or discretion, and the term "perform" may be construed to mean "exercise".

JOHN F. KENNEDY.

EX. ORD. NO. 11110. AMENDMENT OF EXECUTIVE ORDER NO. 10289, RELATING TO PERFORMANCE OF CERTAIN FUNCTIONS OF DEPARTMENT OF THE TREASURY

Ex. Ord. No. 11110, June 4, 1963, 28 F.R. 5605, provided:

By virtue of the authority vested in me by section 301 of Title 3 of the United States Code [this section], it is ordered as follows:

SECTION 1. Executive Order No. 10289 of September 19, 1951, as amended [set out as a note under this section], is hereby further amended—

(a) By adding at the end of paragraph 1 thereof the following subparagraph (j):

"(j) The authority vested in the President by paragraph (b) of section 43 of the Act of May 12, 1933, as amended (31 U.S.C. 821(b)) to issue silver certificates against any silver bullion, silver, or standard silver dollars in the Treasury not then held for redemption of any outstanding silver certificates, to prescribe the denominations of such silver certificates, and to coin standard silver dollars and subsidiary silver currency for their redemption," and

(b) By revoking subparagraphs (b) and (c) of paragraph 2 thereof.

SEC. 2. The amendments made by this order shall not affect any act done, or any right accruing or accrued or any suit or proceeding had or commenced in any civil or criminal cause prior to the date of this order but all such liabilities shall continue and may be enforced as if said amendments had not been made.

JOHN F. KENNEDY.

EX. ORD. NO. 11228. DELEGATION OF FUNCTIONS TO CIVIL SERVICE COMMISSION

Ex. Ord. No. 11228, June 14, 1965, 30 F.R. 7739, as amended by Ex. Ord. No. 11257, Nov. 13, 1965, 30 F.R. 14353, provided:

By virtue of the authority vested in me by Section 301 of Title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows—

SECTION 1. The United States Civil Service Commission is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the following:

(1) The authority vested in the United States Civil Service Commission by Section 605 of the Federal Employees Pay Act of 1945, 59 Stat. 304 (5 U.S.C. 945) [now covered by sections 5504(c), 5548, and 6101(c)], to issue, subject to the approval of the President, regulations necessary for the administration of certain provisions of that Act insofar as the Act affects officers and employees in or under the executive branch of the Government.

(2) The authority vested in the President by Section 203(f) of the Annual and Sick Leave Act of 1951, 65 Stat. 680 (5 U.S.C. 2062(f)) [now covered by section 6305(a)], to prescribe regulations governing the granting of leave of absence as described in that Section.

(3) Except as to Presidential appointees, the authority vested in the President (A) by Section 204 of the Act of June 30, 1932, 47 Stat. 404, to exempt from automatic separation from the service under that Section any person when, in his judgment, the public interest so requires and (B) by Section 5(c) of the Civil Service Retirement Act, 70 Stat. 748 (5 U.S.C. 2255(c)) [now covered by section 8335(c) of title 5], to exempt from automatic separation from the service under Section 5 of that Act [now covered by section 8335 of title 5] any employee when, in his judgment, the public interest so requires.

(4) The authority vested in the President by Section 9(b) (8) of the Federal Employees Salary Act of 1965 (approved October 29, 1965) [now covered by section 5595(a)(2) of title 5] to prescribe rules and regulations excluding officers or employees from the application of Section 9 of that Act [now covered by section 5595 of title 5].

(5) The authority vested in the President by Section 9(c) of the Federal Employees Salary Act of 1965 [now covered by section 5595(b)(2) of title 5] to prescribe rules and regulations governing severance pay.

SEC. 2. The Chairman of the United States Civil Service Commission is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the authority vested in the President by Section 304(e) of the Government Employees' Incentive Awards Act, 68 Stat. 1113 (5 U.S.C. 2123(e)) [now covered by section 4502(d) of title 5], to determine the activity primarily benefiting, or the various activities benefiting, from any suggestion, invention, superior accomplishment, or other personal effort of any civilian officer or employee of the Government which constitutes the basis of any Presidential award or honorary recognition made or granted under Section 304(b) of that Act (5 U.S.C. 2123(b)) [now covered by sections 4501(2)(A) and 4504 of title 5].

SEC. 3. The following are hereby superseded:

(1) Part II of Executive Order No. 10530 of May 10, 1954.

(2) Executive Order No. 10682 of October 22, 1956.

(3) Section 5 of Executive Order No. 10800 of January 15, 1959.

(4) Executive Order No. 10835 of August 21, 1959.

(5) So much of Section 2 of Executive Order No. 10903 of January 9, 1961, as added paragraph (e) of Section 2 of Executive Order No. 10530 of May 10, 1954.

SEC. 4. (a) Unless inappropriate, references in this Order to any statute or to any provision of any statute shall be deemed to include references thereto as amended from time to time.

(b) Unless inappropriate, any reference in any Executive order to any Executive order which is superseded by this Order, or to any Executive order provision so superseded, shall hereafter be deemed to refer to this Order or to the provision of Section 1 or Section 2 of this Order, if any, which corresponds to the superseded provision.

SEC. 5. All actions heretofore taken by the President or by his delegates in respect of the matters affected by Sections 1 and 2 of this Order and in force at the time of the issuance of this Order, including any regulations prescribed or approved by the President or by his delegates in respect of such matters, shall, except as they may be inconsistent with the provisions, of this Order, remain in effect until amended, modified, or revoked pursuant to the authority conferred by this Order unless sooner terminated by operation of law.

LYNDON B. JOHNSON.

EXECUTIVE ORDER NO. 11230

Ex. Ord. No. 11230, June 28, 1965, 30 F.R. 8847, as amended by Ex. Ord. No. 11275, Mar. 31, 1966, 31 F.R. 5283; Ex. Ord. No. 11290, July 21, 1966, 31 F.R. 10067; Ex. Ord. No. 11294, Aug. 4, 1966, 31 F.R. 10601, formerly set out as a note under this section, delegating certain functions of the President to the Director of the Bureau of the Budget, was superseded by Ex. Ord. No. 11609, July 22, 1971, 36 F.R. 13747, set out as a note under this section.

EX. ORD. NO. 11294. DELEGATION OF AUTHORITY TO ESTABLISH MAXIMUM PER DIEM RATES FOR PERSONNEL IN TRAVEL STATUS

Ex. Ord. No. 11294, Aug. 4, 1966, 31 F.R. 10601, as amended by Ex. Ord. No. 11609, July 22, 1971, 36 F.R. 13747, provided:

By virtue of the authority vested in me by Section 301 of Title 3 of the United States Code, and as President of the United States, it is ordered as follows:

SECTION 1. Executive Order No. 10621 of July 1, 1956 [set out as a note under this section], entitled "Delegation of Certain Functions of the President to the Secretary of Defense," is hereby amended by adding the following paragraph at the end of Section 1 thereof:

"(o) The authority vested in the President by section 3 of the Travel Expense Act of 1949, 63 Stat. 166, as amended (5 U.S.C. 836) [now covered by sections 2105, 5701, 5702, and 5707 of title 5], to establish maximum rates of per diem allowances for civilian officers and employees of the Government to the extent that such authority pertains to travel status in localities in Alaska, Hawaii, the Commonwealth of Puerto Rico, the Canal Zone, and possessions of the United States."

SEC. 2. There is hereby delegated to the Secretary of State the authority vested in the President by Section 3 of the Travel Expense Act of 1949, 63 Stat. 166, as amended (5 U.S.C. 836) [now covered by section 5702 of title 5], to establish maximum rates of per diem allowances for civilian officers and employees of the Government to the extent that such authority pertains to travel status in localities in any area (including the Trust Territory of the Pacific Islands) situated outside the United States, the Commonwealth of Puerto Rico, the Canal Zone, and the possessions of the United States.

SEC. 3. [Superseded by Ex. Ord. No. 11609, July 22, 1971, 36 F.R. 13747.]

SEC. 4. To the extent not heretofore superseded, Executive Order No. 10970 of October 27, 1961, is hereby superseded.

LYNDON B. JOHNSON.

EX. ORD. NO. 11390. DELEGATION OF FUNCTIONS TO SECRETARY OF DEFENSE

Ex. Ord. No. 11390, Jan. 22, 1968, 33 F.R. 841, as amended by Ex. Ord. No. 11601, June 29, 1971, 36 F.R. 12473, provided:

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, and as President of the United States, it is ordered as follows:

SECTION 1. The Secretary of Defense, and, as designated by the said Secretary for this purpose, any of the Secretaries, Under Secretaries, and Assistant Secretaries of the military departments, are hereby designated and empowered to perform the following-described functions of the President without the approval, ratification, or other action of the President:

(1) The authority vested in the President by section 3539(a) of title 10, United States Code [now covered by section 711a of title 10], to detail not more than five commissioned officers of the Army Medical Service for duty with the Service to the Armed Forces Division of the American National Red Cross.

(2) The authority vested in the President by sections 3293 and 8293 of title 10, United States Code, to prescribe an examination concerning the moral, mental, and physical qualifications of chaplains.

(3) The authority vested in the President by sections 3313 and 8313 of title 10, United States Code, to suspend, in time of war or emergency, any provision of law relative to the promotion or mandatory retirement or separation of Regular Army and Regular Air Force commissioned officers.

(4) The authority vested in the President by sections 565, 599, 3450, and 8450 of title 10, United States Code [former sections 3450 and 8450 now covered by sections 3449, 5787(c), and 8449 of title 10], to suspend, in time of war or emergency, any provision of law relative to promotion and mandatory retirement or separation of warrant officers of the armed forces.

(5) The authority vested in the President by sections 4337 and 9337 of title 10, United States Code, to appoint the chaplains at the United States Military and Air Force Academies.

(6) The authority vested in the President by sections 4302(a) and 9302(a) of title 10, United States Code, to approve regulations concerning instruction of enlisted members of the Army and Air Force.

(7) The authority vested in the President by sections 3611 and 8611 of title 10, United States Code [former sections 3611 and 8611 now covered by section 121 of title 10], to prescribe the uniform of the Army and the Air Force.

(8) The authority vested in the President by sections 5139 and 5149 of title 10, United States Code, relating to the retirement of the Chief of the Medical Service Corps, the Deputy Judge Advocate General, and the Assistant Judge Advocate General, of the Navy.

(9) The authority vested in the President by section 6394(e) of title 10, United States Code, to approve or disapprove, in whole or in part, recommendations of boards convened to consider and recommend flag and general officers of the Navy and Marine Corps for retirement.

(10) The authority vested in the President by section 2102(a) of title 10, United States Code, to prescribe regulations governing the establishment and maintenance of senior reserve officers' Training Corps units at civilian educational institutions.

(11) The authority vested in the President by section 123 of title 10, and section 111 of title 32, United States Code, to suspend in time of war or national emergency those provisions cited therein relating to promotion of reserve officers.

(12) The authority vested in the President by section 6398 of title 10, United States Code, to retire certain women officers of the Navy and the Marine Corps.

(13) The authority vested in the President by section 6223(b) of title 10, United States Code, relating to members of the Marine Corps Band.

(14) The authority vested in the President by section 425 of title 37, United States Code, to approve concert tours of the Navy Band and the Marine Corps Band.

(15) The authority vested in the President by section 6386(c) of title 10, United States Code, to suspend, during a war or national emergency, certain provisions of law relative to the mandatory retirement or separation of officers of the Navy and Marine Corps.

SEC. 2. All actions heretofore taken by or for the President with respect to the matters affected by this order and in force and effect at the time of the issu-

ance of this order, including any regulations prescribed or approved by the President with respect to such matters, shall, except as they may be inconsistent with the provisions of this order, remain in force and effect until amended, modified, or revoked pursuant to the authority conferred by this order.

LYNDON B. JOHNSON.

EX. ORD. NO. 11423. DELEGATION OF FUNCTIONS TO SECRETARY OF STATE RESPECTING CERTAIN FACILITIES CONSTRUCTED AND MAINTAINED ON UNITED STATES BORDERS

Ex. Ord. No. 11423, Aug. 16, 1968, 33 F.R. 11741, provided:

WHEREAS the proper conduct of the foreign relations of the United States requires that executive permission be obtained for the construction and maintenance at the borders of the United States of facilities connecting the United States with a foreign country; and

WHEREAS such executive permission has from time to time been sought and granted in the form of Presidential permits for the construction, connection, operation, and maintenance at the borders of the United States of such border crossing facilities as water supply and oil pipelines, aerial tramways and cable cars, submarine cables, and lines for the transmission of electric energy; and

WHEREAS Executive Order No. 10485 of September 3, 1953 [set out as a note under section 717b of title 15 and section 824a of title 16], empowers the Federal Power Commission to issue permits for the construction, operation, maintenance, or connection, at the borders of the United States, of facilities for the transmission of electric energy between the United States and a foreign country and for the importation or exportation of natural gas to or from a foreign country; and

WHEREAS Executive Order No. 10530 of May 10, 1954 [set out as a note under this section], empowers the Federal Communications Commission to issue and revoke licenses to land submarine cables in the United States; and

WHEREAS it is desirable to provide a systematic method in connection with the issuance of permits for the construction and maintenance of other such facilities connecting the United States with a foreign country:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States and Commander in Chief of the Armed Forces of the United States and in conformity with the provisions of section 301 of title 3, United States Code [this section], it is ordered as follows:

SECTION 1. (a) Except with respect to facilities covered by Executive Orders No. 10485 and No. 10530, the Secretary of State is hereby designated and empowered to receive all applications for permits for the construction, connection, operation, or maintenance, at the borders of the United States, of: (i) pipelines, conveyor belts, and similar facilities for the exportation or importation of petroleum, petroleum products, coal, minerals, or other products to or from a foreign country; (ii) facilities for the exportation or importation of water or sewage to or from a foreign country; (iii) monorails, aerial cable cars, aerial tramways and similar facilities for the transportation of persons or things, or both, to or from a foreign country; and (iv) bridges, to the extent that congressional authorization is not required.

(b) With respect to applications received pursuant to subsection (a)(i) above, the Secretary of State shall request the views of the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of the Interior, the Secretary of Commerce, the Secretary of Transportation, the Interstate Commerce Commission, and the Director of the Office of Emergency Planning. With respect to applications received pursuant to subsection (a)(ii) above, the Secretary of State shall request the views of the Secretary of Defense and the Secretary of the Interior. With respect to applications received pursuant to subsection (a) (iii) or (iv) above, the Secretary of State shall request the views of the Secretary of the Treasury, the Secretary of Defense, the Attorney General, and the Secretary of Transportation.

(c) The Secretary of State may also consult with such other department and agency heads and with such state and local government officials as he deems appropriate with respect to each application. All federal government officials consulted by the Secretary of State pursuant to this section shall provide such information and render such assistance as he may request, consistent with their competence and authority.

(d) If the Secretary of State finds, after consideration of the views obtained pursuant to subsections (b) and (c), that issuance of a permit to the applicant would serve the national interest, he shall prepare a permit, in such form and with such terms and conditions as the national interest may in his judgment require, and shall notify the officials required to be consulted under subsection (b) above of his proposed determination that the permit be issued.

(e) If the Secretary of State finds, after consideration of the views obtained pursuant to subsections (b) and (c), that issuance of a permit to the applicant would not serve the national interest, he shall notify the officials required to be consulted under subsection (b) above of his proposed determination that the application be denied.

(f) The Secretary of State shall issue or deny the permit in accordance with his proposed determination unless, within fifteen days after notification pursuant to subsection (d) or (e) above, an official required to be consulted under subsection (b) above shall notify the Secretary of State that he disagrees with the Secretary's proposed determination and requests the Secretary to refer the application to the President. In the event of such a request, the Secretary of State shall refer the application, together with statements of the views of the several officials involved, to the President for his consideration and final decision.

SEC. 2. (a) The Secretary of State may provide for the publication in the Federal Register of notice of receipt of applications, for the receipt of public comments on applications, and for publication in the Federal Register of notice of issuance or denial of applications.

(b) The Secretary of State is authorized to issue such further rules and regulations, and to prescribe such further procedures, as he may from time to time deem necessary or desirable for the exercise of the authority conferred upon him by this order.

SEC. 3. The authority of the Secretary of State hereunder is supplemental to, and does not supersede, existing authorities or delegations relating to importation, exportation, transmission, or transportation to or from a foreign country. All permits heretofore issued with respect to matters described in section 1 of this order, and in force at the time of issuance of this order, and all permits issued hereunder, shall remain in effect in accordance with their terms unless and until modified, amended, suspended, or revoked by the President or, upon compliance with the procedures provided for in this order, by the Secretary of State.

LYNDON B. JOHNSON.

EX. ORD. NO. 11592. DELEGATION OF FUNCTIONS TO DIRECTOR OF OFFICE OF MANAGEMENT AND BUDGET

Ex. Ord. No. 11592, May 6, 1971, 36 F.R. 8555, provided:

By virtue of the authority vested in me by section 301 of title 3 of the United States Code [this section], and as President of the United States, the Director of the Office of Management and Budget is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the function of granting the approvals authorized or required to be granted by the President by any of the provisions of the River and Harbor Act of 1970 and

the Flood Control Act of 1970, Public Law 91-611, approved December 31, 1970.

RICHARD NIXON.

EX. ORD. NO. 11609. DELEGATION OF CERTAIN FUNCTIONS VESTED IN THE PRESIDENT TO OTHER OFFICERS OF THE GOVERNMENT

Ex. Ord. No. 11609, July 22, 1971, 36 F.R. 13747, as amended by Ex. Ord. No. 11713, Apr. 21, 1973, 38 F.R. 10069; Ex. Ord. No. 11779, Apr. 22, 1974, 39 F.R. 14185, provided:

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

SECTION 1. *General Services Administration.* The Administrator of General Services is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the following:

(1) The authority of the President under 5 U.S.C. 4111(b) to prescribe regulations with respect to reductions to be made from payments by the Government to employees for travel, subsistence, or other expenses incident to training in a non-Government facility or to attendance at a meeting.

(2) The authority of the President under the last sentence of 5 U.S.C. 5702(a) to establish maximum rates of per diem allowances to the extent that such authority pertains to travel status of employees (as defined in 5 U.S.C. 5701) while enroute to, from, or between localities situated outside the 48 contiguous States of the United States and the District of Columbia.

(3) The authority of the President under 5 U.S.C. 5707 to prescribe regulations necessary for the administration of subchapter I of chapter 57 of title 5 of the United States Code [section 5701 et seq. of title 5] (relating to travel and subsistence expenses and mileage allowances).

(4) The authority of the President under 5 U.S.C. 5722(a) to prescribe regulations with respect to the payment of travel expenses and transportation expenses of household goods and personal effects.

(5) The authority of the President under 5 U.S.C. 5723(a) to prescribe regulations with respect to the payment of travel expenses and transportation expenses.

(6) The authority of the President under 5 U.S.C. 5724 to prescribe the regulations provided for therein (relating to travel and transportation expenses and other matters).

(7) The authority of the President under 5 U.S.C. 5724(a) to prescribe the regulations provided for therein, relating to (i) the availability of appropriations or other funds of agencies for the reimbursement of described expenses of employees for whom the Government pays expenses of travel and transportation under 5 U.S.C. 5724(a), (ii) the entitlement of employees to amounts related to their basic pay, and (iii) the allowance, payment, and receipt of expenses and benefits to former employees who are reemployed by nontemporary appointments.

(8) The authority of the President under 5 U.S.C. 5726 to prescribe the regulations provided for therein, relating to (i) the definition of "household goods and personal effects", (ii) allowable storage expenses and related transportation, and (iii) the allowance of nontemporary storage expenses or storage at Government expense in Government-owned facilities (including related transportation and other expenses).

(9) The authority of the President under 5 U.S.C. 5727 to prescribe the regulations provided for therein, relating to the transportation at Government expense of privately owned motor vehicles.

(10) The authority of the President under 5 U.S.C. 5728 (a) and (b) to prescribe the regulations provided for therein, relating to the payment by an agency from its appropriations of the expenses of round trip travel of an employee, and the transportation of his immediate family, in described circumstances.

(11) The authority of the President under 5 U.S.C. 5729(a) and (b) to prescribe the regulations provided for therein, relating to (i) the payment by an agency from its appropriations of the expenses of transporting the immediate family of an employee and of shipping his household goods and personal effects, and (ii) the reimbursement from its appropriations by an agency of an employee for the proper transportation expense of returning his immediate family and household goods and personal effects, both in described circumstances.

(12) The authority of the President under 5 U.S.C. 5731(a) to prescribe the regulations provided for therein, relating to certifications respecting transportation accommodations.

(13) The authority of the President under 5 U.S.C. 5742(b) to prescribe regulations with respect to the payment of expenses when an employee dies.

(14) The authority of the President under the last sentence of paragraph (c) of section 32 of title III of the Act of July 22, 1937, c. 517, 50 Stat. 525 (7 U.S.C. 1011(c), to transfer to Federal, State, or Territorial agencies lands acquired by the Secretary of Agriculture under section 32(a) of that Act.

(15) The authority of the President under section 340 of the Consolidated Farmers Home Administration Act of 1961, 75 Stat. 318 (7 U.S.C. 1990), in his discretion to transfer to the Secretary of Agriculture any right, interest or title held by the United States in any lands acquired in the program of national defense and no longer needed for that program, and to determine the suitability of the lands to be transferred, for the purposes referred to in that section: *Provided*, That the exercise by the Administrator of the authority delegated to him by this paragraph (15) shall require the concurrence of the Secretary of Defense as to the absence of further need of the lands for the national defense program.

(16) The authority of the President under section 4(k) of the Tennessee Valley Authority Act, 55 Stat. 599 (16 U.S.C. 831c(k)), to approve transfers under paragraphs (a) and (c) of that section, other than leases for terms of less than 20 years and conveyances of property having a value not in excess of $500.

(17) The authority of the President under section 7(b) of the Tennessee Valley Authority Act of May 18, 1933, 48 Stat. 63 (16 U.S.C. 831f(b)), to provide for the transfer to the Tennessee Valley Authority of the use, possession, and control of real or personal property of the United States deemed by the Administrator of General Services to be necessary and proper for the purposes of that Authority as stated in that Act.

(18) The authority of the President under section 1 of the Act of March 4, 1927, c. 505, 44 Stat. 1422 (20 U.S.C. 191), to transfer to the jurisdiction of the Secretary of Agriculture for the purposes of that Act any land belonging to the United States within or adjacent to the District of Columbia located along the Anacostia River North of Benning Bridge.

(19) That part of the authority of the President under section 7(a) of the Act of July 17, 1959, P.L. 86-91, 73 Stat. 216, as amended (20 U.S.C. 905(a)), which consists of authority to prescribe regulations relating to storage (including packing, drayage, unpacking, and transportation to and from storage) of household effects and personal possessions.

(20) The authority of the Administrator of General Services under section 210(i) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(i)) to prescribe regulations relating to the installation, repair, and replacement of sidewalks.

(21) The authority of the President under section 108 of the Housing Act of July 15, 1949, c. 338, 63 Stat. 419, as amended (42 U.S.C. 1458), to transfer, or cause to be transferred, to the Secretary of Housing and Urban Development any right, title or interest held by the Federal Government or any department or agency thereof in any land (including buildings thereon) which is surplus to the needs of the Government and which a local public agency certifies will be within the area of a project being planned by it.

(22) The authority of the President under section 372 of title 2 of the Canal Zone Code to approve transfers between departments and agencies of certain property in the Canal Zone.

(23) The authority of the President under section 62(d) of title 2 of the Canal Zone Code to approve the valuation of properties and other assets being transferred between the Panama Canal Company and other Government agencies.

SEC. 2. *Department of the Treasury.* The Secretary of the Treasury is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the following:

(1) The authority under 5 U.S.C. 5943(a) to make recommendations to the President concerning the meeting of losses sustained by employees and members of the uniformed services while serving in a foreign country due to appreciation of foreign currency in its relation to the American dollar.

(2) The authority under 5 U.S.C. 5943(d) to report annually to the Congress on expenditures made under 5 U.S.C. 5943(d).

SEC. 3. *Department of Health, Education, and Welfare.* The Secretary of Health, Education, and Welfare is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the following:

(1) The authority of the President under the first section of the Act entitled "An Act to authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind, and for other purposes," approved June 20, 1936, 49 Stat. 1559, as amended (20 U.S.C. 107), to approve regulations prescribed by the heads of the respective departments and agencies thereunder.

(2) The authority of the Secretary of Health, Education, and Welfare under section 2 of the Act of August 4, 1947, c. 478, 61 Stat. 751, as amended (24 U.S.C. 168a) to fix per diem rates for care of patients in Saint Elizabeths Hospital.

SEC. 4. (a) *Department of State.* The Secretary of State is hereby designated and empowered to exercise his authority under section 12 of the Act of August 1, 1956, 70 Stat. 892 (22 U.S.C. 2679) (being authority to prescribe certain maximum rates of per diem in lieu of subsistence (or of similar allowances therefor)), without the approval, ratification, or other action of the President.

(b) The Secretary of State is hereby designated and empowered to exercise the authority of the President under section 9 of the United Nations Participation Act of 1945 (59 Stat. 619), as amended by section 15 of Public Law 93-126 (87 Stat. 454-455) [section 287e-1 of title 22].

SEC. 5. *Department of Defense.* The Secretary of Defense is hereby designated and empowered to exercise the authority of the President under the last sentence of section 4 of the Act of May 10, 1943, c. 95, 57 Stat. 81 (24 U.S.C. 34) to prescribe from time to time uniform rates of charges for hospitalization and dispensary services: *Provided,* That the authority hereby delegated may not be redelegated to any officer in the Department of the Navy, Department of the Air Force, or Department of the Army.

SEC. 6. *Department of Health, Education, and Welfare; Department of Defense.* The following are hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the authority of the President under 10 U.S.C. 1085 to establish uniform rates of reimbursement for inpatient medical or dental care:

(1) The Secretary of Health, Education, and Welfare in respect of such care in a facility under his jurisdiction.

(2) The Secretary of Defense in respect of such care in a facility of an armed force under the jurisdiction of a military department.

SEC. 7. *Veterans Administration.* (a) The Administrator of Veterans Affairs is hereby designated and empowered to exercise the authority of the President under 10 U.S.C. 1074(b) to approve uniform rates of reimbursement for care provided in facilities operated by the Administrator.

(b) Section 2 of Executive Order No. 11302 of September 6, 1966, as amended by Executive Order No. 11429 of September 9, 1968 [set out as a note under section 111 of Title 38, Veterans' Benefits], is hereby further amended by substituting for the words "allowance of not more than six cents a mile" the following: "allowance, in such amount per mile as the Administrator shall from time to time fix pursuant to 38 U.S.C. 111 as affected by this order,".

SEC. 8. *Civil Service Commission.* The United States Civil Service Commission is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the following:

(1) The authority of the President under 5 U.S.C. 5514(b) to approve regulations prescribed by the head of each agency to carry out 5 U.S.C. 5514 and section 3(a) of the Act of July 15, 1954, c. 509, 68 Stat. 483, 31 U.S.C. 581d (relating to installment deductions from pay for indebtedness because of erroneous payment).

(2) The authority of the President under 5 U.S.C. 5903 to prescribe regulations necessary for the uniform administration of subchapter I of chapter 59 of title 5 of the United States Code [section 5901 et seq. of title 5] (relating to uniform allowances).

(3) The authority of the President under 5 U.S.C. 5942 to prescribe regulations establishing rates at which an allowance based on duty (except temporary duty) at remote work sites will be paid and defining and designating the sites, areas and groups of positions to which the rates apply.

SEC. 9. *Office of Management and Budget.* The Director of the Office of Management and Budget is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the following:

(1) The authority of the President under 5 U.S.C. 5911(f) to issue the regulations provided for therein (relating to the provision, occupancy, and availability of quarters and facilities, the determination of rates and charges therefor, and other related matters, as are necessary and appropriate to carry out the provision of section 5911).

(2) The authority of the President under 10 U.S.C. 126(a) to approve the transfers of balances of appropriations provided for therein.

(3) The authority of the President under section 202 of the Budget and Accounting Procedures Act of September 12, 1950, 64 Stat. 833 (31 U.S.C. 581c) to approve the transfers of balances of appropriations provided for in subsections (a) and (b) of that section.

(4) The authority of the President under the last sentence of section 11 of the Act of June 6, 1924, c. 270, 43 Stat. 463 (40 U.S.C. 72), to approve (i) the designation of lands to be acquired by condemnation, (ii) contracts for purchase of lands, and (iii) agreements between the National Capital Planning Commission and officials of the States of Maryland and Virginia.

(5) The authority of the President under section 1 of the Act of December 22, 1928, c. 48, 45 Stat. 1070 (40 U.S.C. 72a), to approve contracts for acquisition of land subject to limited rights reserved to the grantor and for the acquisition of limited permanent rights in land adjoining park property.

(6) The authority of the President under section 407 (b) of the Act of August 30, 1957, 71 Stat. 556 (42 U.S.C. 1594j(b)) [subsecs. (b) and (c) of former section 1594j now covered by section 1594j-1 of title 42], to approve regulations (relating to the rental of substandard housing for members of the uniformed services) prescribed pursuant to that section. The Secretaries referred to in section 407(c) of that Act shall furnish the Director of the Office of Management and Budget such reports with respect to matters within the scope of the regulations so approved as he may require and at such times as he may specify.

(7) The authority of the President under 44 U.S.C. 1108 to approve the use, from the appropriations available for printing and binding, of such sums as are nec-

essary for the printing of journals, magazines, periodicals, and similar publications.

(8) The authority of the President under the paragraph appearing under the heading "Expenses of Management Improvement" in title III of the Treasury, Post Office, and Executive Office Appropriation Act, 1971, P.L. 91-422, 84 Stat. 877, or by any reenactment of the provisions of that paragraph in the same or in a different amount of funds, to allocate to any agency or office of the executive branch (including the Office of Management and Budget) funds appropriated by that paragraph or by any such reenactment of it. The Director of the Office of Management and Budget shall from time to time report to the President concerning activities carried on by executive agencies and offices with funds allocated under this paragraph and shall, consonant with law, exercise such direction and control with respect to those activities as he shall deem appropriate.

SEC. 10. *General Provisions.* (a) Unless inappropriate, any reference in this order to any provision of law shall be deemed to include reference thereto as amended from time to time and as affected by Reorganization Plan No. 2 of 1970 (35 F.R. 7959).

(b) Unless inappropriate, any reference in any Executive order to any Executive order which is superseded by this order, or to any Executive order provision so superseded, shall hereafter be deemed to refer to this order or to the provision of the preceding section of this order, if any, which corresponds to the superseded provision.

(c) All actions heretofore taken by the President, the Director of the Bureau of the Budget, or the Director of the Office of Management and Budget in respect of the matters affected by the provisions of the preceding sections of this order and in force at the time of the issuance of this order, including any regulations prescribed or approved by any of them in respect of such matters, shall, except as may be inconsistent with the provisions of this order, remain in effect until amended, modified, or revoked pursuant to the authority conferred by this order unless sooner terminated by operation of law.

SEC. 11. *Orders superseded.* The following are hereby superseded:

(1) Executive Order No. 10604 of April 22, 1955.

(2) Executive Order No. 11230 of June 28, 1965.

(3) Executive Order No. 11275 of March 31, 1966.

(4) Executive Order No. 11290 of July 21, 1966.

(5) Section 3 of Executive Order No. 11294 of August 4, 1966.

(6) To the extent that it is inconsistent with this order, Executive Order No. 11541 of July 1, 1970.

SEC. 12. *Taking effect.* This order shall be effective immediately except that paragraphs (1) to (13), inclusive, and paragraph (19), of section 1 hereof shall become effective ninety days after the date of this order.

RICHARD NIXON.

EX. ORD. NO. 11690. DELEGATION OF FUNCTIONS TO EXECUTIVE DIRECTOR OF DOMESTIC COUNCIL

Ex. Ord. No. 11690, Dec. 14, 1972, 37 F.R. 26815, provided:

By virtue of the authority vested in me by the Constitution and statutes of the United States, Part II of Reorganization Plan No. 2 of 1970 [set out in the Appendix to title 5], and as President of the United States, it is ordered as follows:

SECTION 1. *Functions of the Executive Director of the Domestic Council.* In addition to the functions heretofore assigned, the Executive Director of the Domestic Council shall assist the President with respect to intergovernmental relations generally. In addition, he shall:

(1) serve as the coordinator for the prompt handling and solution of Federal-State-local problems brought to the attention of the President or Vice President by executive and legislative officers of State and local governments;

(2) identify and report to the President on recurring intergovernmental problems of a Federal interdepartmental and interprogram nature;

(3) explore and report to the President on ways and means of strengthening the headquarters and interagency relationships of Federal field offices as they relate to intergovernmental activities;

(4) maintain continuing liaison with intergovernmental units in Federal departments and agencies; and

(5) review procedures utilized by Federal executive agencies for affording State and local officials an opportunity to confer and comment on Federal assistance programs and other intergovernmental issues, and propose methods of strengthening such procedures.

SEC. 2. *Administrative Arrangements.* (a) All Federal departments, agencies, and interagency councils and committees having an impact on intergovernmental relations, and all Federal Executive Boards, shall extend full cooperation and assistance to the Director in carrying out his responsibilities under this order. The Director shall, upon request, assist all Federal departments and agencies with problems that may arise between them and the executive agencies or elected officials of State and local governments.

(b) The head of each Federal department and agency shall designate an appropriate official with broad general experience in his department or agency to serve, upon request of the Director, as a point of contact in carrying out Federal-State-local liaison activities under this order.

SEC. 3. *Construction.* Nothing in this order shall be construed as subjecting any department, establishment, or other instrumentality of the executive branch of the Federal Government or the head thereof, or any function vested by law in or assigned pursuant to law, to any such agency or head, to the authority of any other such agency or head or as abrogating, modifying, or restricting any such function in any manner.

SEC. 4. *Revocation.* Executive Order No. 11455 of February 14, 1969, entitled "Establishing an Office of Intergovernmental Relations", is hereby revoked.

SEC. 5. *Records, Property, Personnel, and Funds.* The records, property, personnel, and unexpended balances, available or to be made available, of appropriations, allocations, and other funds of the Office of Intergovernmental Relations are hereby transferred to the Domestic Council.

SEC. 6. *Effective Date.* This Order shall be effective thirty days after this date.

RICHARD NIXON.

EX. ORD. NO. 11713. DELEGATION OF FUNCTIONS TO ADMINISTRATOR OF GENERAL SERVICES

Ex. Ord. No. 11713, Apr. 21, 1973, 38 F.R. 10069, provided:

By virtue of the authority vested in me by section 301 of title 3 of the United States Code [this section], and as President of the United States, it is hereby ordered as follows:

SECTION 1. Section 1 of Executive Order No. 11609 of July 22, 1971 [set out as a note under this section], is hereby amended by adding at the end thereof the following new paragraphs:

"(22) The authority of the President under section 372 of title 2 of the Canal Zone Code to approve transfers between departments and agencies of certain property in the Canal Zone.

"(23) The authority of the President under section 62(d) of title 2 of the Canal Zone Code to approve the valuation of properties and other assets being transferred between the Panama Canal Company and other Government agencies."

SEC. 2. All actions heretofore taken by the President, the Director of the Bureau of the Budget, or the Director of the Office of Management and Budget in respect of matters affected by the amendment made by section 1 of this order and in force at the time of the issuance of this order, including any regulations prescribed or approved by any of them in respect of such

matters, shall, except as may be inconsistent with the provisions of this order, remain in effect until amended, modified, or revoked pursuant to the authority conferred by this order unless sooner terminated by operation of law.

SEC. 3. Executive Order No. 11541 of July 1, 1970, is superseded to the extent that it is inconsistent with this order.

RICHARD NIXON.

EX. ORD. NO. 11732. DELEGATION OF FUNCTIONS TO SECRETARY OF HOUSING AND URBAN DEVELOPMENT

Ex. Ord. No. 11732, July 30, 1973, 38 F.R. 20429, provided:

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, the Secretary of Housing and Urban Development is hereby designated and empowered to exercise, without approval, ratification, or other action by the President, the functions vested in the President by sections 305 and 301 of the National Housing Act, as amended (12 U.S.C. 1720 and 1716, respectively), relating to the authorization of the purchase of mortgages by the Government National Mortgage Association in connection with its special assistance functions and the determination that such action is in the public interest.

RICHARD NIXON.

EXECUTIVE ORDER NO. 11784

Ex. Ord. No. 11784, May 30, 1974, 39 F.R. 19443, formerly set out as a note under this section, which related to the delegation of certain authority to the Administrator of General Services to issue regulations relating to joint funding, was superseded by Ex. Ord. No. 11867, June 19, 1975, 40 F.R. 26253, set out as a note under section 4252 of Title 42, The Public Health and Welfare.

§ 302. Scope of delegation of functions

The authority conferred by this chapter shall apply to any function vested in the President by law if such law does not affirmatively prohibit delegation of the performance of such function as herein provided for, or specifically designate the officer or officers to whom it may be delegated. This chapter shall not be deemed to limit or derogate from any existing or inherent right of the President to delegate the performance of functions vested in him by law, and nothing herein shall be deemed to require express authorization in any case in which such an official would be presumed in law to have acted by authority or direction of the President.

(Added Oct. 31, 1951, ch. 655, § 10, 65 Stat. 712.)

SIMILAR PROVISIONS; REPEAL; SAVING CLAUSE

For similar provisions contained in prior law, and saving clause in connection therewith, see note preceding section 301 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 31 section 685a.

§ 303. Definitions

As used in this chapter, the term "function" embraces any duty, power, responsibility, authority, or discretion vested in the President or other officer concerned, and the terms "perform" and "performance" may be construed to mean "exercise".

(Added Oct. 31, 1951, ch. 655, § 10, 65 Stat. 712.)

SIMILAR PROVISIONS; REPEAL; SAVING CLAUSE

For similar provisions contained in prior law, and saving clause in connection therewith, see note preceding section 301 of this title.